

<b>Federal Agencies</b>	<b>Received via</b>	<b>Addressed</b>
USFWS	Mail / Email	included

<b>State Agencies</b>	<b>Received via</b>	<b>Addressed</b>
state clearinghouse	Mail / Email	included
State Clearing House - terry roberts	Mail / Email	included
Department of Fish and Game	Mail / Email	included
DTSC	Mail / Email	included

<b>Local Agencies/ Organizations</b>	<b>Received via</b>	<b>Addressed</b>
conservation biology institute	Mail / Email	included
Mira Mesa Planning Group	Mail / Email	included
San Dieguito River Valley	Mail / Email	included
San Dieguito River Valley Conservancy	Mail / Email	included
MTDB	Mail / Email	included
County of San Diego	Mail / Email	included
Rancho Bernardo Comm. Plnng Brd	Mail / Email	included
City of Escondido	Mail / Email	included
San Diego County Bicycle Coalition	Mail / Email	included
City of San Diego	Mail / Email	included
Scripps ranch Planning Group	Mail / Email	included

<b>Citizens</b>	<b>Received via</b>	<b>Addressed</b>
Christopher Bender/Beth Famiglietti	Mail / Email	included
Gene Strocchio	Mail / Email	included
Tina Robinson	Mail / Email	included
concerned residents: segment 7	Mail / Email	included
law offices of cynthia eldred	Mail / Email	included
geocon - david evans, tom giles, dustin dunn		included
jeri larson (jeffjerilarson)	Mail / Email	included
laura & Rick Birman	Mail / Email	Not included - issue addressed
Sheng Ye	Mail / Email	Not included - issue addressed
souvannarath	Mail / Email	Not included - issue addressed
David Cheng	Mail / Email	Not included - issue addressed
maria & Andrew bonczyk	Mail / Email	Not included - issue addressed
DeAnna Hood	Mail / Email	Not included - issue addressed
katherine Joyce	Mail / Email	Not included - issue addressed
Sylvia Potter	Mail / Email	Not included - issue addressed

Berta Temme	Mail / Email	Not included - issue addressed
Eric Bowcott	Mail / Email	Not included - issue addressed
	Mail / Email	Not included - issue addressed
Beth Byrd	Mail / Email	Not included - issue addressed
Brian Eshelman	Mail / Email	Not included - issue addressed
michael tran	Mail / Email	Not included - issue addressed
steven pomiak	Mail / Email	Not included - issue addressed
viet pham, david keezer	Mail / Email	Not included - issue addressed
maria valinski, richard lang	Mail / Email	Not included - issue addressed
kellie wong	Mail / Email	Not included - issue addressed
matias negatu	Mail / Email	Not included - issue addressed
cherie linneman	Mail / Email	Not included - issue addressed
tobi antony	Mail / Email	Not included - issue addressed
hui yang	Mail / Email	Not included - issue addressed
mei-ling tu	Mail / Email	Not included - issue addressed
snadra gomo	Mail / Email	Not included - issue addressed
edith smith	Mail / Email	Not included - issue addressed
allison & Scott McClay	Mail / Email	Not included - issue addressed
Stacey Griffin	Mail / Email	Not included - issue addressed
timothy durant	Mail / Email	Not included - issue addressed
john piskor	Mail / Email	Not included - issue addressed
ramewh kasavarju	Mail / Email	Not included - issue addressed
susan hong	Mail / Email	Not included - issue addressed
julie boes	Mail / Email	Not included - issue addressed
nikki phu	Mail / Email	Not included - issue addressed
morio okubo	Mail / Email	Not included - issue addressed
susan edwards	Mail / Email	Not included - issue addressed
james vanderspek	Mail / Email	Not included - issue addressed
sudipta mohanty	Mail / Email	Not included - issue addressed
roy bell	Mail / Email	Not included - issue addressed
farquhar lloyd	Mail / Email	Not included - issue addressed
siavash haghkhah	Mail / Email	Not included - issue addressed
ruby dela cruz	Mail / Email	Not included - issue addressed
alexandre bulboaca	Mail / Email	Not included - issue addressed
juke chen	Mail / Email	Not included - issue addressed
khai nguyen	Mail / Email	Not included - issue addressed
kim tran	Mail / Email	Not included - issue addressed
truc nguyen	Mail / Email	Not included - issue addressed
heather sadleer	Mail / Email	Not included - issue addressed
clair bjerregaard	Mail / Email	Not included - issue addressed
kimberly pagano	Mail / Email	Not included - issue addressed
aurora ramos	Mail / Email	Not included - issue addressed
henry & Nancy Chen	Mail / Email	Not included - issue addressed
Michael sullivan	Mail / Email	Not included - issue addressed
yosina Lissebeak	Mail / Email	Not included - issue addressed

brad maciejewski	Mail / Email	Not included - issue addressed
irene and les perry	Mail / Email	Not included - issue addressed
radicle lazarescli	Mail / Email	Not included - issue addressed
young hoan kim	Mail / Email	Not included - issue addressed
jennifer ouellet	Mail / Email	Not included - issue addressed
sebastian capella	Mail / Email	Not included - issue addressed
brett ching	Mail / Email	Not included - issue addressed
timothy hood	Mail / Email	Not included - issue addressed
masangkay	Mail / Email	Not included - issue addressed
jiyoug xue	Mail / Email	Not included - issue addressed
lisa polikov	Mail / Email	Not included - issue addressed
cathy carlson	Mail / Email	Not included - issue addressed
Ritsuko douglass	Mail / Email	Not included - issue addressed
hugo morales	Mail / Email	Not included - issue addressed
Busterk	Mail / Email	Not included - issue addressed
myron monroe	Mail / Email	Not included - issue addressed
article in paper	Mail / Email	Not included - issue addressed
Trevor Bourget	Mail / Email	Not included - issue addressed
perry leiber	Mail / Email	Not included - issue addressed
kathy tezeno	Mail / Email	Not included - issue addressed
foggy 43	Mail / Email	Not included - issue addressed
vicki kenny	Mail / Email	Not included - issue addressed
Shirley Tweedell	Mail / Email	Not included - issue addressed
AJ Steger	Mail / Email	Not included - issue addressed
james pope	Mail / Email	Not included - issue addressed
Kenneth baker	Mail / Email	Not included - issue addressed
Donald and Audrey Anderson	Mail / Email	Not included - issue addressed
Ruthie Melton	Mail / Email	Not included - issue addressed
Diana Vallese	Mail / Email	Not included - issue addressed
Rein Kosenkranius	Mail / Email	Not included - issue addressed
Irene arsten	Mail / Email	Not included - issue addressed
Bill Bayne	Mail / Email	Not included - issue addressed
Patricia Doyle	Mail / Email	Not included - issue addressed
Ray Barry	Mail / Email	Not included - issue addressed
James and Norine Maher	Mail / Email	Not included - issue addressed
ladysmd	Mail / Email	Not included - issue addressed
SCCDC1	Mail / Email	Not included - issue addressed
Dick and Paula Barton (angelbeliever5)	Mail / Email	Not included - issue addressed
warren uppling (jwup)	Mail / Email	Not included - issue addressed
tina and phil bozarth (tbozarth)	Mail / Email	Not included - issue addressed
George Webster	Mail / Email	Not included - issue addressed
rosemary maver	Mail / Email	Not included - issue addressed
colette burgers	Mail / Email	Not included - issue addressed
11695 Corte Guera	Mail / Email	Not included - issue addressed
community assoc	Mail / Email	Not included - issue addressed
neighbors	Mail / Email	Not included - issue addressed

jge chaya	Mail / Email	Not included - issue addressed
kenny vicki	Mail / Email	Not included - issue addressed
laurie sulzenfuss	Mail / Email	Not included - issue addressed
killakacs	Mail / Email	Not included - issue addressed
george maguire	Mail / Email	Not included - issue addressed
sherisa varga (sonlight)	Mail / Email	Not included - issue addressed
ron easterbrooks	Mail / Email	Not included - issue addressed
(karalyn003) karaLyn Drake	Mail / Email	Not included - issue addressed
waren uppling	Mail / Email	Not included - issue addressed
warren uppling (jwup)	Mail / Email	Not included - issue addressed
john warren	Mail / Email	Not included - issue addressed
wang Kuirong MGIA0400	Mail / Email	Not included - issue addressed
jordan douglas	Mail / Email	Not included - issue addressed
jim stoneburner	Mail / Email	Not included - issue addressed
mark von gericht (mvon)	Mail / Email	Not included - issue addressed
barbara baker (blbaker)	Mail / Email	Not included - issue addressed
margot (chubby) jackson	Mail / Email	Not included - issue addressed
cindy evans	Mail / Email	Not included - issue addressed
robert iiko	Mail / Email	Not included - issue addressed
Tim Lehn (tlehn)	Mail / Email	Not included - issue addressed
Tim Lehn (tlehn)	Mail / Email	Not included - issue addressed
calli34 clint allison	Mail / Email	Not included - issue addressed
bonnie ann dowd	Mail / Email	Not included - issue addressed
cathleen walkley (cmwalkley)	Mail / Email	Not included - issue addressed
Stan newman	Mail / Email	Not included - issue addressed
Debra Briski	Mail / Email	Not included - issue addressed
Roby Ramon	Mail / Email	Not included - issue addressed
Roby Ramon	Mail / Email	Not included - issue addressed
Rolando Blancas	Mail / Email	Not included - issue addressed
Stephanie Stillwell	Mail / Email	Not included - issue addressed
Andrew Young	Mail / Email	Not included - issue addressed
Jeff Bowles	Mail / Email	Not included - issue addressed
joe pierzina (d&J Pierzina)	Mail / Email	Not included - issue addressed
Emett Greenwald	Public Hearing Comment	Not included - issue addressed
Emett Greenwald	Public Hearing Comment	Not included - issue addressed
Dennis Bamman, Liz Cherry, Darlene Dunn	Public Hearing Comment	Not included - issue addressed
Nori Pierce	Public Hearing Comment	Not included - issue addressed
Irwin Lee	Public Hearing Comment	Not included - issue addressed
Sergene Turley	Public Hearing Comment	Not included - issue addressed
Randy Fillat	Public Hearing Comment	Not included - issue addressed



Donald Jarel	Public Hearing Comment	Not included - issue addressed
Max Kiltz	Public Hearing Comment	Not included - issue addressed
Dennis Smith	Public Hearing Comment	Not included - issue addressed
Clayt and naomi Vermeulen	Public Hearing Comment	Not included - issue addressed
Miles & Doris Gray	Public Hearing Comment	Not included - issue addressed
Julie and Jim Moore	Public Hearing Comment	Not included - issue addressed
Anne heavener	Public Hearing Comment	Not included - issue addressed
Dave McWeeny	Public Hearing Comment	Not included - issue addressed
Beth famiglieth	Public Hearing Comment	Not included - issue addressed
maeleine aprahamian	Public Hearing Comment	Not included - issue addressed
andrea chandler	Public Hearing Comment	Not included - issue addressed
lynn and terry badger	Public Hearing Comment	Not included - issue addressed
chaney hardman	Public Hearing Comment	Not included - issue addressed
max kiltz	Public Hearing Comment	Not included - issue addressed
mike lutz	Public Hearing Comment	Not included - issue addressed
Liz Cherry	Public Hearing Comment	Not included - issue addressed
mark sarojak	Public Hearing Comment	Not included - issue addressed
allison McClay	Public Hearing Comment	Not included - issue addressed
Keri sarojak	Public Hearing Comment	Not included - issue addressed
Anne Le Reverend	Public Hearing Comment	Not included - issue addressed
Debby Sather	Public Hearing Comment	Not included - issue addressed
Dwight Carlson	Public Hearing Comment	Not included - issue addressed
Elaine Cook	Public Hearing Comment	Not included - issue addressed
Bill Simons	Public Hearing Comment	Not included - issue addressed
Dorothy Risheberger	Public Hearing Comment	Not included - issue addressed
Mike Chandler	Public Hearing Comment	Not included - issue addressed
Mira Mesa Planning group	Public Hearing Comment	Not included - issue addressed
Donald Jarel	Court Reporter/Hearing	Not included - issue addressed
Darlene Dunn	Court Reporter/Hearing	Not included - issue addressed
Suri Pierce	Court Reporter/Hearing	Not included - issue addressed
George Cook	Court Reporter/Hearing	Not included - issue addressed
Hemena Hyman	Court Reporter/Hearing	Not included - issue addressed
Mike Chandler	Court Reporter/Hearing	Not included - issue addressed
Andrea Chandler	Court Reporter/Hearing	Not included - issue addressed
Dennis Seisun	Court Reporter/Hearing	Not included - issue addressed
Sergene Turley	Court Reporter/Hearing	Not included - issue addressed
Bill Bayne	Court Reporter/Hearing	Not included - issue addressed
keri sarojak	Court Reporter/Hearing	Not included - issue addressed
mark Sarojak	Court Reporter/Hearing	Not included - issue addressed

John Groff	Court Reporter/Hearing	Not included - issue addressed
Hillard	Court Reporter/Hearing	Not included - issue addressed
Tina Robinson	Court Reporter/Hearing	Not included - issue addressed
Dwight Carlson	Court Reporter/Hearing	Not included - issue addressed

In order to avoid duplication some letters/comments are not individually addressed in this document particularly if they raised the same or similar concerns or questions already. However, responses to all environmental concerns are provided.

### **Comment Summary**

During the public comment period 217 letters were received by mail, email, or at the public hearing. In several instances a single person submitted more than one comment letter. Where individuals submitted comments at the public hearing and mailed in a letter, or in instances where an individual submitted multiple letters that contained different concerns both were accepted. Following is a summary of the general responses received:

163 letters were received from citizens regarding potential noise impacts from the proposed project

15 letters expressed concerns regarding traffic and operation of the proposed facility

13 letters stated that an east/west wildlife crossing was needed or had other biological concerns

12 letters expressed concern that the proposed project would influence property values of their homes or rental units

10 letters stated that construction related impacts would create community disruptions

9 letters contained concerns regarding visual impacts which included use of landscaping, graffiti control, and blocked views

8 letters contained concerns regarding impacts to parks or trails

6 letters expressed concerns regarding air quality

5 letters expressed concerns regarding safety issues

5 letters expressed concerns with the Hillery Drive DAR

4 letters concerned errors found within the document

Additional concerns raised within the comment letters included nonstandard features, growth inducement, land use, water quality, hazardous waste, constructing a parallel freeway, smart growth, extension of the public comment period, hours of operation of the proposed facility, pavement type to be used, construction techniques at Lake Hodges, and the need to prepare an EIR/EIS.

### **General Comment 1: Property Value**

Several citizens expressed concerns that the proposed project would reduce the value of their property or reduce the ability to rent out properties located adjacent to the corridor.

#### **Response**

Many different factors go into determining the property value of homes including the demand for housing in an area. It is not expected that the I-15 Managed Lanes Project will have an influence on property values within the corridor given that the housing demand within San Diego County is on the rise. This is best expressed in SANDAG's Region 2020 publication released February 2002 which states: "The San Diego region is facing a serious housing crisis. Construction is not keeping up with demand, home prices are skyrocketing, and rental rates are climbing."

### **General Comment 2: Air Quality**

Several residents along the corridor expressed concerns regarding additional air pollution that will be created during construction and from expansion of the facility.

#### **Response**

An Air Quality Study Report was completed in March 2001. This report describes the air pollutants associated with motor vehicle exhaust, determines applicable air quality standards and regulations, examines the existing air quality conditions in the study area, and identifies and quantifies the possible air quality impacts that could result from the proposed improvements. The report determined that the proposed project would not cause any adverse air quality impacts. A summary of the reports findings can be found in Section 3.6.2 of the DED. In addition, Section 3.17.3 contains a discussion regarding measures to address air quality during construction.

### **General Comment 3: Construction related impacts**

Several letters expressed concerns regarding noise, duration of work, and dust control during construction.

#### **Response**

The environmental document addresses temporary construction noise in Section 3.17.3 Measures to Minimize Harm. This section addresses measures that would be used to reduce noise, reduce construction dust, notify residents of delays and of construction schedules, help incident management, and reduce delays due to conflicts between construction contracts.

### **General Comment 4: An EIR/EIS should be prepared**

Several letters expressed concern regarding the decision to prepare a ND/FONSI for this project and expressed that they felt that the appropriate document should be an EIR/EIS

**Response**

An EIR/EIS is not needed because studies, and careful consideration of public comments have determined that the proposed project has no significant impacts. The mitigated ND/FONSI is reserved for projects that have impacts that are not significant after mitigation. The Department uses the judgment and knowledge of the interdisciplinary project development team (PDT) based on the concepts of context and intensity (NEPA) and setting (CEQA) to determine the nature of impacts.

With the support of specialists and the completed technical studies, the PDT concluded that all project related impacts could be minimized based upon context and intensity and that a ND/FONSI was the appropriate level document for the project. Numerous measures to minimize impacts are identified and planned as outlined in Chapter 3: Affected Environment, Environmental Consequences, and Measures to Minimize Harm and in Appendix F: Mitigation Monitoring and Reporting Record. The Department continues to support the decision that an ND/FONSI is the appropriate level document for the proposed project.

**General Comment 5: Significant Impacts under CEQA**

Several comments were received which raised concerns regarding the significance of impacts under CEQA.

**Response**

The Department does not adopt thresholds in the determination of significance under CEQA but uses the professional judgment and knowledge of the interdisciplinary project development team based on the concepts of context and intensity (NEPA) and setting (CEQA). There are no requirements regarding how significance under CEQA must be presented within an IS/EA. The Department has adopted the CEQA Checklist, found in appendix A, to analyze any impacts and their significance under CEQA. Any information required to support the findings on this checklist can be found in Chapter 3 as appropriate.

**General Comment 6: Concerns regarding noise impacts**

Numerous letters were received that expressed concerns regarding noise abatement decisions that were made throughout the corridor.

**Response**

Traffic Noise impacts were identified in the Technical Noise Report June 2000, abatement was considered in the Reasonable Feasible Analysis dated September 2002 and the recommended feasible and reasonable barriers are included in the ND/FONSI. These barriers are discussed in detail in Chapter 3.7.3.

Based on the Technical Noise study dated June 2000, in accordance with 23 CFR 772, noise impacts were analyzed and abatement was considered where appropriate.

In areas where substantial increases occurred, as defined by the Caltrans Noise protocol and 23 CFR 772, additional abatement measures would be considered. Per current regulations and project development team input noise abatement is proposed where reasonable and feasible.

Following a review of the noise analysis one additional wall within the project corridor was identified as meeting the reasonable and feasible criteria if an easement is donated. A description of this barrier can be found in section 3.7.3, segment 8.

#### **General Comment 7: Hours of operation of the proposed managed lanes**

Comments were received that expressed concerns regarding the hours that the current express lanes operate, and requested that the Department keep the lanes open at all times.

##### **Response**

The current opening time for the reversible lanes is 5:45AM to 6:00AM and is based on freeway conditions. If freeway conditions change and congestion begins earlier, the opening time can be re-evaluated. This comment has been passed on to the Traffic Operations Department.

#### **General Comment 8: Impacts to Bicyclists**

Several comments were received expressing a desire for bicyclists to be able to utilize freeway shoulders and to continue to be permitted to use the Lake Hodges Bridge overcrossing.

##### **Response**

Caltrans will and has made provisions for bicycle traffic in the proposed project. Where alternative alignments exist, it is proposed to utilize those alignments instead of designating freeway shoulders for bicycle use. Where no reasonable alternatives exist, the use of shoulders for bicycle use will be permitted.

Currently, the only location that the use of the freeway shoulder is allowed is over Lake Hodges Bridge. This situation will continue until the San Dieguito River Parks structure and bicycle/ pedestrian path is completed.

On local streets, adequate shoulder width is being provided to enhance bicycle traffic through intersections.



United States Department of the Interior  
Fish and Wildlife Service  
Ecological Services  
Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road  
Carlsbad, California 92009



In Reply Refer To:  
FWS-SDG-1328.4

DEC 2 2002

Charles "Muggs" Stoll  
Deputy District Director  
Caltrans  
District 11  
PO Box 85406 M.S. 46  
San Diego, California 92186-5406

Re: Draft Environmental Initial Study/Environmental Assessment and Proposed Mitigated  
Negative Declaration for the Interstate 15 Managed Lanes Project, San Diego County,  
California (EA #: 064800)

Dear Mr. Stoll:

1

The U.S. Fish and Wildlife Service (Service) has reviewed the referenced Draft Environmental Initial Study/ Environmental Assessment and Proposed Mitigated Negative Declaration (MND) for the Interstate 15 (I-15) Managed Lanes Project (Project) from Interstate 163 (I-163) in the City of San Diego to State Route 78 (SR78) in the City of Escondido, in San Diego County, California. The purpose of the project is to expand I-15 to better handle the current and future traffic needs between San Diego and Escondido. The Managed Lanes Project is part of a larger set of operational improvement projects planned for I-15. A biological opinion (FWS-SDG-1328.2; Opinion) was issued on May 8, 2001, for the Operational Improvement Projects. That Opinion discussed three components of the overall operational improvements including either managed lanes or high occupancy vehicle lanes alternatives. However, the Opinion did not address effects to the 11 pairs and four individual coastal California gnatcatchers (*Poliophtila californica californica*; gnatcatcher) that are discussed in Managed Lanes Project MND.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*).

The Managed Lanes Project proposes to construct four managed lanes in the freeway median of I-15 from 1.5 miles south of I-163 in the City of San Diego, to 0.3 mile north of SR78 in the City of Escondido. The total project length is 21.1 miles. The project would impact 11 pairs and four individual gnatcatchers; 43.2 acres of coastal sage scrub; a patch of dot seed plantain (*Plantago erecta*), a larval host plant for the endangered Quino checkerspot butterfly (*Euphydryas editha quino*); and five separate locations with jurisdictional wetlands and waters of the United States.

1 Caltrans and Federal Highway Administration (FHWA) reinitiated formal consultation with the Service on adverse effects to the gnatcatcher, to include the I-15 Managed Lanes Project in the proposed action. The Service issued a Biological Opinion on this reinitiation on January 16, 2003. To offset impacts from the Managed Lanes Project to gnatcatchers, a total of 97.8 acres of coastal sage scrub (CSS) (at a 2:1 ratio) and fourteen (14) gnatcatcher territories will be encumbered on both the Walsh properties at Lake Hodges and at Bonita Meadows. To satisfy this requirement, the remaining 46.1 acres of CSS at the Walsh properties and 51.7 acres of CSS at Bonita meadows will be debited. In addition, a total of fourteen (14) gnatcatcher territories, ten (10) pairs and four (4) single gnatcatchers, will be debited from the two properties. A copy of the Biological Opinion referenced above will be included in Appendix B in the Final MND.

2

This comment letter addresses the following major concerns regarding the proposed project: potential impacts to the federally endangered San Diego ambrosia (*Ambrosia pumila*; ambrosia), potential indirect effects to vernal pool species, inconsistency with the existing opinion for operational improvements to I-15, noise attenuation adjacent to wildlife corridors, and coordinating efforts with the Lake Hodges pedestrian/bike crossing. Other concerns are addressed in an attachment.

San Diego ambrosia was recently listed as endangered under the Act (*Federal Register* 67: 44372-44382, 2002). Ambrosia was historically found throughout the proposed project area and currently occurs in patches between Oceanside and Santee. However, the MND does not mention San Diego ambrosia other than in the species list provided by the Service (Figure 3-7B of the MND). Because San Diego ambrosia is known from the proposed project area, we recommend surveys for this species. If San Diego ambrosia is found within the project area, impacts to ambrosia should be avoided. If avoidance is not possible, minimization measures and mitigation requirements should be incorporated into the final MND.

3

According to the MND, a vernal pool complex occurs along the top of the cutslope within the I-15 right-of-way on Miramar Marine Corp Air Station, between I-163 and State Route 52. The MND does not discuss the potential indirect effects to the vernal pool complex from construction of the Project. However, the upper margin of one of the pools is approximately one meter from the edge of the slope. Any construction activity on this slope could potentially permanently damage the pool's hydrology. Fugitive dust could also cover flowering plants or dormant propagules of the listed species that occur in the vernal pool complex. The final MND should address all potential effects to these pools and all measures to avoid or minimize these effects.

4

Although the existing Opinion for the Operational Improvement Projects analyzed effects to gnatcatchers, that Opinion did not address impacts to the 11 pairs and four individual gnatcatchers that will be impacted by the proposed project. The existing Opinion only addresses impacts to eight gnatcatchers. Therefore, reinitiation of formal section 7 consultation will be necessary to address impacts to additional gnatcatchers that were not addressed in the original Opinion.

The Service recommends installing noise attenuation structures (landscaped sound berms and sound walls), similar to those recommended for residential areas along both sides of I-15, at Penasquitos Canyon Preserve, and Green Valley and Chicarita creeks. These stream systems support well developed riparian communities that have great value as wildlife corridors and have potential as areas for recolonization by least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax traillii extimus*).

The Service recommends including the proposed Lake Hodges pedestrian/bike bridge as part of the Lake Hodges bridge replacement project, a component of the Managed Lanes Project. The pedestrian/bike bridge is still in the early conceptual planning stage, and including the pedestrian/bike bridge as part of the I-15 bridge replacement project would minimize impacts to environmental resources. For example, the proposed pedestrian/bike bridge could be cantilevered off of the Lake Hodges bridge, thus eliminating the need for a separate pedestrian/bike bridge across the lake.

2

Biological surveys for the federally endangered San Diego ambrosia were conducted in 1999 for the I-15 Corridor by AMEC Earth and Environmental (Final Biological Resource Surveys for the I-15 Corridor, October 1999). A population of San Diego ambrosia was located on the west side of I-15, south of Via Rancho Parkway, just north of Lake Hodges. This is depicted in the MND on Figure 2-22. The populations of ambrosia will not be impacted by the proposed project. The location will be marked as an Environmentally Sensitive Area during construction to ensure that no activities occur in that area. A detailed discussion of San Diego ambrosia will be added to the MND under section 3.12 Threatened and Endangered Species, 3.12.2 Impacts.

3

Section 3.9 Wetlands and Waters of the United States, 3.9.1 Affected Environment of the Draft MND state that "vernal pools, some supporting rare plants and animals, occur in the segment where the southbound right-of-way passes through Miramar MCAS. These areas were created in 1983 to offset impacts due to earlier I-15 construction. In addition to vernal pools created as mitigation, naturally occurring vernal pools exist in this region." In order to avoid direct impacts to these vernal pools that exist at the top of the slope, a bridge for the barrier transfer machine south of H Avenue is proposed. In addition, these vernal pools have been designated as Environmentally Sensitive Areas (ESAs) to avoid any further impacts during construction. Figure 2-3 of the Project Features Maps delineates the ESA and will be included on Figure 2-3 in the Final MND.

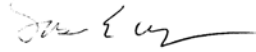
4

Any indirect impacts from noise, light, vibration and exhaust would be addressed through minimization measures and Best Management Practices (BMP's) included in Section 3.17 Construction Impacts of this Negative Declaration. In addition, Caltrans will include a more detailed description and a discussion of potential indirect impacts to these vernal pools in the Final MND.



Thank you for the opportunity to comment on the Draft Environmental Initial Study/  
Environmental Assessment and Proposed Mitigated Negative Declaration for the Interstate 15  
Managed Lanes Project. Should you have any questions regarding our comments, please call  
John DiGregoria of my staff at (760) 431-9440.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan E. Wynn", with a long horizontal flourish extending to the right.

Susan E. Wynn  
Acting Assistant Field Supervisor

cc: Pam Beare, California Department of Fish and Game

Enclosure

**U.S. FISH AND WILDLIFE SERVICE  
COMMENTS AND RECOMMENDATIONS  
ON FWS-SDG-1328.4**

**General Comments**

**5**

1. The Service recommends constructing replacement bridges with bat friendly structures. Because bat populations are declining in San Diego County, constructing bat friendly bridges would enhance the recovery of local bat populations.

**6**

2. The minimization and mitigation measures for each stage of the Project should be modified to include the following:
  - a. All clearing and grubbing should occur outside the gnatcatcher breeding season of approximately February 15 to August 31. In addition, prior to construction activities, a qualified biologist should survey the preserved habitat areas adjacent to the project site to determine if any gnatcatcher nests are within a distance potentially affected by noise from these activities. If no nesting gnatcatchers are located, no additional measures will need to be taken to mitigate indirect impacts. However, if nesting gnatcatchers are observed, no activity will occur without noise attenuation (e.g., noise barriers) to ensure that noise levels within occupied gnatcatcher habitat do not exceed 60 dBA Leq.
  - b. If the construction (including grading) occurs during raptor breeding season (typically February 15 - August 31, although breeding can begin as early as January), a qualified biologist should conduct a pre-construction survey of the project site and surrounding habitat to determine whether there are active raptor nests within that area. If an active nest is observed, we recommend that a buffer be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer should be a minimum width of 500 feet and should be in effect as long as construction is occurring and until the nest is no longer active.
  - c. The Service recommends the use of native plants to the greatest extent feasible in the landscape areas adjacent to and/or near mitigation/open space areas and/or wetland/riparian areas. The applicant should not plant, seed or otherwise introduce invasive exotic plant species to the landscaped areas adjacent and/or near the mitigation/open space area and/or wetland/riparian areas. Exotic plant species not to be used include those species listed on Lists A & B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999." This list includes such species as: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. A copy of the complete list can be obtained by contacting the California Exotic Pest Plant Council at 32912 Calle del Tesoro,

**5**

Caltrans is currently examining the possibility of adding bat friendly structures (bat boxes) to bridges that will be replaced.

**6**

Section 3.12.3 Measures to Minimize Harm will be revised to minimize all direct and indirect impacts to the least Bell's vireo (*Vireo bellii pusillus*), coastal California gnatcatcher and breeding raptors as included in the revised Biological Opinion issued by the Service on January 16, 2003.

The following paragraph specifically addressing invasive species will be added as a separate section to the Final MND.

On February 3, 1999, President Clinton signed Executive Order 13112 requiring Federal agency action to combat the introduction or spread of invasive species in the United States. Federal Highway Administration (FHWA) guidance issued August 10, 1999 directs the use of the state's noxious weed list to define the invasive plants that must be considered as part of the National Environmental Policy Act (NEPA) analysis for a proposed project. The landscaping and erosion control that is proposed for the I-15 Managed Lanes corridor will not use species listed as noxious weeds and will not plant, seed or otherwise introduce invasive exotic plant species to the landscaped areas adjacent and/or near the mitigation/open space area and/or wetland/riparian areas.

During construction, in areas of particular sensitivity, such as mitigation/open space areas and/or wetland/riparian areas, extra precautions may be taken if invasive species are found in or adjacent to the construction areas. These may include the inspection and cleaning of construction equipment and eradication strategies to be deployed should an invasion occur.

San Juan Capistrano, California 92675-4427, or by accessing their web site at <http://www.caleppc.org>.

- d. The Service has concerns about the potential effects that project-related changes in natural hydrologic regimes may have to the onsite drainages and their associated biological resources. The project design should mitigate for any increased potential for flooding. We recommend that natural drainage (i.e., pre-development hydrology) be retained as much as possible so that flows that once reached the habitats downstream continue to after development, subsequent to undergoing filtration and attenuation from BMPs. We recommend that a "natural" treatment system (i.e., created buffer such as vegetated strips or grassy swales, using native plants) be integrated into the site design to attenuate the increased velocities of surface flows and provide natural filtration to the surface flows.

3. The final MND should include maps that show the following:

- a. The project area in relation to surrounding habitat, the Multiple Habitat Conservation Plan (MHCP), and the Multiple Species Conservation Program (MSCP).
- b. The true boundaries of Lake Hodges. Many maps within the document show Lake Hodges terminating at I-15 and not continuing to the east of I-15. These maps should be modified to correctly portray Lake Hodges.

4. The final MND should provide a more detailed analysis of the projects' potential impacts on sensitive species. This should include an expanded discussion of how indirect impacts may affect sensitive species.

5. The final MND should include a description of how both on-site preservation areas and off-site acquisition areas will be protected, maintained, monitored, and funded in perpetuity.

6. We recommend that the final MND state that prior to commencement of grading or clearing, mitigation measures will be reviewed and approved by the Service.

**Specific Comments**

7. The final MND should include the requirement that a monitoring/management plan for the mitigation site, consistent with MSCP and MHCP guidelines, that addresses both the habitat and the species will be developed and implemented in coordination with the Service. The plan should include management objectives to determine the distribution and abundance of plants and animals found within the on-site preserve and build a baseline database from this information. Management should include monitoring specific taxonomic groups to determine whether the site is functioning naturally or if the biological diversity of the site is being degraded or diminished. Additional management objectives should include dealing with threats posed by human encroachment and from

7 A regional graphic will be added to the Final MND to show the project's relationship to the City's MSCP and MHCP areas. In addition, the proposed Managed Lanes project will cross the City of San Diego's MHPA boundary in three main locations: Los Penasquitos Canyon (Figure 2-10), Green Valley Creek Bridge (Figures 2-19 and 2-20) and Lake Hodges (Figures 2-20 and 2-21). All Projects Features Maps will be revised in the final document to depict the City's MHPA boundaries where applicable.

All figures in the Final MND will be revised to show the true boundaries of Lake Hodges.

8 Comment noted. Impacts to biological resources will be analyzed as three separate sections in the Final MND to include wetlands, threatened and endangered species, and wildlife. All of the above mentioned sections will be revised to include a more detailed description and analysis of both direct and indirect impacts. Please note that all technical study reports have been incorporated by reference

9 Comment Noted. This condition will be added to the Final MND in Section 3.12.3

non-native plants and animals that have been introduced into California over the last 100 years. All threats should be monitored and managed appropriately. The plan should also include measures to establish an appropriate financial mechanism (e.g., escrow account, performance bond) that would assure that the conservation measures are fully implemented. This plan, including funding, should be implemented prior to, or concurrent with, the initiation of construction.

8. The final MND should include the provision for a biological monitor to be present during construction and to oversee the mitigation activities to ensure that conservation measures required in the final MND, resource agency permits, and construction documents are performed in compliance with those documents and any concurrent or subsequent mitigation plans. The biological monitor will have the authority to halt all associated project activities, which may be in violation of the conditions of any permits in effect. Any unauthorized impacts or actions not in compliance with the required mitigation should be immediately brought to the attention of the Service.

**11**

9. To minimize impacts to gnatcatchers, the final MND should state that updated protocol-level surveys for the coastal California gnatcatcher and other listed species be performed no more than one year prior to an application for a permit from the Service.

**12**

10. Temporary fencing should be required in all locations of the project where proposed grading or clearing is within 100 feet of proposed biological open space. Fencing should be placed on impact side and should result in no vegetation loss within open space. All temporary fencing shall be removed only after the conclusion of all grading, clearing and construction.

**13****10**

The Service reissued a non-jeopardy Biological Opinion on January 16, 2003 for the proposed I-15 Managed Lanes. The terms and conditions listed below specifically address Service Comment (7) above. A copy of the Biological Opinion referenced above will be included in Appendix B in the Final MND. In addition, see Caltrans response to Service Comment (5) above.

**11**

Comment noted. The Final MND will be revised to include the provision for a biological monitor to be present during construction and to oversee the mitigation activities to ensure that conservation measures required in the Final MND, resource agency permits, and construction documents are performed in compliance with those documents and any concurrent or subsequent mitigation plans. In Sections 3.9 Wetlands and Waters of the United States, 3.10 Wildlife, and 3.12 Threatened and Endangered Species, the presence of a biological monitor will be added as a measure to minimize harm.

**12**

Comment noted. Pre-construction surveys for the coastal California gnatcatcher will be conducted prior to construction. In addition, the presence of a biological monitor will be added as a measure to minimize harm (see answer to Service comment (8) above).

**13**

The Service reissued a non-jeopardy Biological Opinion on January 16, 2003 for the proposed I-15 Managed Lanes. The Terms and Conditions 2.1 specifically address Service Comment (10) above. A copy of the Biological Opinion referenced above will be included in Appendix B in the Final MND.



Gray Davis  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
Interim Director

**ACKNOWLEDGEMENT OF RECEIPT**

DATE: November 15, 2002  
TO: Jason A. Reynolds  
Department of Transportation, District 11  
P.O. Box 85406, MS 46  
2829 Juan Street  
San Diego, CA 92186-5406  
RE: Interstate 15 Managed Lanes  
SCH#: 2002101112

1

This is to acknowledge that the State Clearinghouse has received your environmental document for state review. The review period assigned by the State Clearinghouse is:

Review Start Date: October 23, 2002  
Review End Date: November 21, 2002

We have distributed your document to the following agencies and departments:

Air Resources Board, Transportation Projects  
California Highway Patrol  
Department of Fish and Game, Region 5  
Department of Parks and Recreation  
Department of Toxic Substances Control  
Department of Water Resources  
Native American Heritage Commission  
Office of Historic Preservation  
Regional Water Quality Control Board, Region 9  
Resources Agency  
State Lands Commission

The State Clearinghouse will provide a closing letter with any state agency comments to your attention on the date following the close of the review period.

Thank you for your participation in the State Clearinghouse review process.

1

Comment noted



Gray Davis  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
Interim Director

November 22, 2002

Jason A. Reynolds  
Department of Transportation, District 11  
P.O. Box 85406, MS 46  
2829 Juan Street  
San Diego, CA 92186-5406

Subject: Interstate 15 Managed Lanes  
SCH#: 2002101112

Dear Jason A. Reynolds:

The State Clearinghouse submitted the above named Joint Document to selected state agencies for review. The review period closed on November 21, 2002, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

1 Comment Noted

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2002101112  
**Project Title** Interstate 15 Managed Lanes  
**Lead Agency** Caltrans #11

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**Type** JD Joint Document  
**Description** The proposed project would construct four managed lanes, a moveable barrier system, auxiliary lanes, and added lanes from State Route 163 in the City of San Diego to State Route 78 in the City of Escondido, in San Diego County, California.

---

**Lead Agency Contact**

**Name** Jason A. Reynolds  
**Agency** Department of Transportation, District 11  
**Phone** 619-688-0121 **Fax**  
**email**  
**Address** P.O. Box 85406, MS 46  
2829 Juan Street  
**City** San Diego **State** CA **Zip** 92186-5406

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**Project Location**

**County** San Diego  
**City** San Diego, Escondido  
**Region**  
**Cross Streets** From SR-163 to SR-78  
**Parcel No.**  
**Township** **Range** **Section** **Base** S.B

---

**Proximity to:**

**Highways** 52, 163, 56, 78  
**Airports**  
**Railways**  
**Waterways** Green Valley, Las Penasquitos, San Clemente Creeks & LK Hodges  
**Schools**  
**Land Use** Transportation Corridor

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**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Economics/Jobs; Flood Plain/Flooding; Noise; Population/Housing Balance; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse; Growth Inducing; Cumulative Effects

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**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

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**Date Received** 10/23/2002 **Start of Review** 10/23/2002 **End of Review** 11/21/2002

Note: Blanks in data fields result from insufficient information provided by lead agency.



State of California - The Resources Agency

GRAY DAVIS, Governor

**DEPARTMENT OF FISH AND GAME**

<http://www.dfg.ca.gov>  
4949 Viewridge Avenue  
San Diego, CA 92123  
(858) 467-4201



November 22, 2002

Charles Stoll, Deputy District Director  
Environmental Division, MS-46  
California Department of Transportation, District 11  
P.O. Box 85406  
San Diego, CA 92186-5406

**Comments on the Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration for the Interstate 15 Managed Lanes Project,  
P.M. 10.7-31.8, San Diego County**

Dear Mr. Stoll:

The Department of Fish and Game (Department) has reviewed the above-referenced Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration (DIS) that was received on October 22, 2002. The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381 respectively. The Department is responsible for the conservation, protection, and management of the state's biological resources, pursuant to Fish and Game Code (DFG Code) 1802, and rare, threatened, and endangered plant and animal species pursuant to the California Endangered Species Act (CESA). The Department also administers the Natural Community Conservation Program (NCCP).

The proposed project is located on Interstate 15 (I-15) from 1.49 miles south of State Route 163 in the City of San Diego to 0.31 mile north of State Route 78 in the City of Escondido. The project consists of the construction of four "managed lanes" within the median that would be separated from the main lanes with fixed concrete barriers. The four lanes are considered managed because they could be configured with a movable barrier to consist of 3 lanes northbound and 1 lane southbound, 2 lanes in each direction, or 1 lane northbound and 3 lanes southbound, depending on traffic demand. These lanes would be open to high occupancy vehicles, buses and possibly single occupancy vehicles (SOV) through the Value Pricing Program, which sells extra capacity to SOV users. The additional lanes would be accommodated within the existing right of way and would utilize the median, as well as widening to one or both sides of the outside lanes where necessary. The project would improve freeway capacity and transit opportunities.

The DIS identifies impacts to both wetlands and waters of the U.S., and threatened and endangered species, but includes mitigation that would avoid potentially significant impacts. Wetland and waters impacts occur at five locations. The impact to threatened and endangered species is limited to the coastal California gnatcatcher. Wildlife corridors are also discussed, but only temporary impacts are



identified. The Natural Environment Study (NES) for the project indicates that several other listed or sensitive species are known to occur adjacent to the project, but either no impacts are anticipated or the impacts are not considered significant, even without mitigation.

The Department offers the following comments regarding the adequacy of the DIS to support the proposed finding that the project will not have a significant impact on biological resources:

Streambeds and Riparian Resources

As acknowledged in the DIS, a Streambed Alteration Agreement (SAA), pursuant to Section 1600 *et seq.* of the Fish and Game Code will be needed for project construction. The Department's issuance of an SAA for a project that is subject to CEQA, requires CEQA compliance actions by the Department as a responsible agency. As such, the Department may consider the document prepared by Caltrans for the project. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or CEQA, the IS should fully identify the potential impacts on all stream and lake beds, and associated riparian resources including species of special concern, and provide adequate avoidance, mitigation, monitoring and reporting commitments.

Although the DIS refers to wetlands and waters of the U.S., both terms are specific to areas under the jurisdiction of the U.S. Army Corps of Engineers. There is no discussion of how, or if, these differ from areas of Department jurisdiction. The IS should include the methodology used to determine the areas subject to Section 1600 *et seq.*, a description of the habitat types at each location, the area of impact and its context, along with proposed mitigation measures, all in sufficient detail to support the finding of no significant impact.

NCCP/Wildlife Corridors

The project is located within two NCCP areas, the City of San Diego Subarea of the Multiple Species Conservation Program (MSCP) and the Draft Escondido Subarea Plan of the Multiple Habitat Conservation Program (MHCP). These plans have identified lands targeted for conservation which are intended to create a connected system of biologically viable habitat lands that would maximize the protection of sensitive species. These lands are referred to as the Multi-Habitat Planning Area (MHPA) within the MSCP and Biological Core and Linkage Areas (BCLA) in the MHCP. The project crosses three areas included in the MHPA, but none of the BCLA. The three areas are Los Penasquitos Creek, Green Valley Creek and Lake Hodges. As acknowledged in the DIS, the Los Penasquitos Creek and Lake Hodges portions of the MHPA are considered important wildlife corridors. Because I-15 creates a very effective barrier to wildlife movement, these corridors are critical to the success of the MSCP and therefore the long-term viability of wildlife populations in the county. Any potential impact to either corridor would be significant. The DIS indicates that there would be no permanent impacts to wildlife corridors, only temporary impacts during construction activities. However, the document lacks a sufficiently detailed discussion to adequately support this statement.

For example, there is currently a trail that passes under the I-15 bridge over Lake Hodges. This project will replace the current bridge, which has an open median, with a structure that is wider and without an open median. The DIS indicates that the San Dieguito River Park Joint Powers Authority (JPA) "expressed concern regarding tunnel effects and lack of light due to the additional structures covering the trail." To mitigate for this, "Lighting will be installed under the bridge to help eliminate tunnel effects and to improve safety underneath the proposed structure." There is no indication of the hours this lighting would be in use, however, if it is used at anytime other than daylight hours, wildlife use may be adversely affected. Additional adverse impacts to this corridor, combined with past impacts such as the construction

1 Section 3.9 Wetlands and Waters of the United States will be revised to include descriptions of each type of wetland to be impacted (with acreages), such as riparian habitat, freshwater marsh, natural flood channel, etc. in addition to type of impact (temporary vs. permanent), and the methodology used to determine the areas subject to Section 1600 *et seq.* A table will also be provided that quantifies impacts to both U.S. Army of Corps of Engineers (USACOE) jurisdictional areas (both "water's of the U.S." and wetlands) and DFG jurisdictional areas.

2 Impacts to wetlands will be mitigated through an off site purchase and protection of wetlands currently under private ownership. Caltrans proposes that temporary impacts be mitigated at a ratio of 1:1 and permanent impacts at a ration of 3:1. Caltrans is currently discussing with the City of San Diego to determine the feasibility of doing wetland creation/restoration/enhancement work at Los Penasquitos Creek within the Los Penasquitos Canyon Preserve. It is downstream of the I-15 crossing where project impacts to Los Penasquitos Creek would occur. A detailed description of this site can be found in Section 3.9.3.

3 The proposed Managed Lanes project will cross the City of San Diego's MHPA boundary in three main locations: Los Penasquitos Canyon (Figure 2-10), Green Valley Creek Bridge (Figures 2-19 and 2-20) and Lake Hodges (Figures 2-20 and 2-21). All areas north of Lake Hodges, where Interstate 15 bisects the City of Escondido are within the planning area for the MHCP and the City of Escondido's Subarea Plan. All Projects Features Maps will be revised in the final document to depict the City's MHPA boundaries where applicable. In addition, a regional graphic will be added to the final document to show the project's relationship to the City's Multiple Species Conservation Program (MSCP), MHPA as and MHCP.

4 Section 3.10 Wildlife will be revised to include an analysis of the project's compliance with the City's MSCP Land Use Adjacency Guidelines (construction and operational noise, lighting, toxics, landscaping and drainage) for those areas near and within the MHPA. In addition, a description of how the I-15 Managed Lanes will remain consistent with the MHCP's procedures and guidelines for limiting impacts to sensitive species and habitats, evaluating unavoidable impacts and establishing mitigation will be included.

of the trail, which reduced the slope area available for wildlife and allowed for more human usage, along with the San Diego Water Authority Emergency Storage Project, may severely restrict or eliminate wildlife use of the corridor. Any such change, including minor changes at this location or the other corridors, needs to be thoroughly explored, and mitigated as necessary, before a finding can be made that there is no significant impact.

If after a thorough review of the project design details, Caltrans can support a finding of no significant impact, the Department requests that this, and all future Caltrans projects and encroachment permit approvals, maintain the viability of these corridors regardless of any legal requirement to do so. Department staff are available to assist with this as needed.

#### Least Bell's Vireo and Southwestern Willow Flycatcher

Both the least Bell's vireo and southwestern willow flycatcher utilize habitat adjacent to the project as shown on Figures 2-21 and 2-22. The DIS indicates that neither species was observed within the project footprint, but it fails to address the potential for indirect impacts or that the birds may be in a different location when the project goes to construction. The potential for take, as defined in CESA, that may result from project activities needs to be more thoroughly addressed. Pre-construction surveys, and possibly also construction monitoring, will be needed.

#### Coastal Sage Scrub

The figures depicting impacts to coastal sage scrub and the mitigation for this impact should be clarified. Impacts to coastal sage scrub are shown even where it occurs outside of the grading limits, but similar locations for sensitive species are not included as an impact. In addition, the mitigation for coastal sage scrub impacts that is described in the DIS differs from that in the NES.

#### Sensitive Plant Species

The NES for the project indicates that Robinson's peppergrass (*Lepidium virginicum* var. *robinsonii*) occurs on the west side of I-15, north of Los Penasquitos Canyon and that this population would be impacted by a proposed access road and staging area. Although the DIS shows the presence of other sensitive plant species on Figures 2-1 through 2-28, the location of Robinson's peppergrass is not shown and there is no discussion of the impact or mitigation. This plant is not listed as endangered or threatened, but it is on the California Native Plant Society List 1B. Plants on this list are all "rare throughout their range" and "are judged to be vulnerable under present circumstances or to have a high potential for becoming so." (CNPS, 2001). Section 15380(d) of the Guidelines requires that species that are not listed "shall nevertheless be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria" for listing. The California Natural Diversity Database, a statewide list of sensitive species and habitats, contains only 11 occurrences of this species. Because of its rarity, impacts to Robinson's peppergrass should be avoided, particularly since the impact would only be from staging and access, not the project itself.

Impacts to four other sensitive plants, California adolphia (*Adolphia californica*), San Diego sagewort (*Artemisia palmeri*), Orcutt's brodiaea (*Brodiaea orcuttii*), and San Diego barrel cactus (*Ferocactus viridescens*) are mentioned and a commitment is made to avoid and minimize these impacts. In addition, transplantation and/or off-site mitigation would be provided as determined in coordination with the appropriate resource agencies. The extent of the impact and the mitigation measure should be included in the IS to support the proposed finding of no significant impact.

5 Section 3.12.3 Measures to Minimize Harm in the final MND will be revised to minimize all direct and indirect impact to the least Bell's vireo and southwestern willow flycatcher. The Biological Opinion will be included in the Final MND in Appendix B and all measures will be included in the Final MND.

6 All Project Features maps will be updated to accurately address impacts to sensitive resources, including upland habitats (coastal sage scrub) and species that are within and adjacent to the project.

7

Mitigation for impacts to coastal sage scrub and the coastal California gnatcatcher described in the NES include the purchase of three parcels of land near Lake Hodges, referred to as the Walsh Property, with a total of 81 acres of CSS and 12 gnatcatcher territories. Subsequent to the NES, additional mitigation for cumulative impacts to coastal sage scrub and the gnatcatcher from the I-15 Managed Lanes project was identified. The second site, Bonita Meadows, is located in southeast San Diego and consists of 200 acres of preserved land with 72.51 acres of CSS and eight gnatcatcher territories. Bonita Meadows is located within the County of San Diego and the MSCP limits, and the eastern portion of the property falls within the MHPA, specifically, the County of San Diego, Pre-approved Mitigation Area (PAMA). Both mitigation properties will be described in the Final MND.


8

All Project Features maps will be updated to accurately address impacts to sensitive resources, including upland habitats (coastal sage scrub) and species that are within and adjacent to the project. Specifically, Figure 2-10 will be revised in the Final MND to show the correct location of Robinson's peppergrass. The polygon representing the peppergrass was mistakenly labeled as San Diego sagewort in the Draft MND. Impacts to this species were identified in the NES and Section 3.12.22 of the Draft MND and would result from a proposed bridge access road and staging area. Section 3.12.2 Impacts of the Final MND will be revised to avoid all impacts to Robinson's peppergrass by relocating the proposed staging area and identifying an alternative route for access underneath Los Penasquitos Bridge during construction.

Caltrans  
November 22, 2002  
Page 4

All staging areas should be located in areas that do not support sensitive species or vegetation communities. In addition, all access roads should avoid these areas whenever this is an alternative that would not result in an even greater impact. The Department appreciates the opportunity to comment on your project. We look forward to working with you to refine the project features to be as compatible as possible with the preservation of the fish and wildlife resources of the state. Questions regarding this letter and further coordination on these issues should be directed to Pam Beare at (858) 467-4229.

Sincerely,

*For*   
William E. Tippetts  
Environmental Program Manager

References Cited:

California Native Plant Society. 2001. Inventory of Rare and Endangered Plants of California (sixth edition). Rare Plant Scientific Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA. 388pp.

File: Cron  
file: IISMNDcom.doc

9 Section 3.12 Threatened and Endangered Species will be revised in the Final MND to adequately describe the populations of sensitive plant species found within the I-15 Managed Lanes project footprint. The extent of the impact and the mitigation measures proposed will also be included in the Final MND. Measures to avoid and minimize impacts will also be described.



Winston H. Hickox  
Agency Secretary  
California Environmental  
Protection Agency

## Department of Toxic Substances Control

Edwin F. Lowry, Director  
5796 Corporate Avenue  
Cypress, California 90630



Gray Davis  
Governor

November 19, 2002

Mr. Jason A. Reynolds  
California Department of Transportation  
2829 Juan Street (Old Town), MS 46  
San Diego, California 92186

### ENVIRONMENTAL ASSESSMENT/NEGATIVE DECLARATION FOR THE INTERSTATE 15 MANAGED LANES - (SCH # 2002101112)

Dear Mr. Reynolds:

The Department of Toxic Substances Control (DTSC) has received your Environmental Assessment and Negative Declaration (EA/ND) for the above-mentioned Project.

Based on the review of the document, DTSC's comments are as follows:

- 1** 1) The EA/ND needs to identify and determine whether current or historic uses have resulted in any release of hazardous wastes/substances at the site.
- 2** 2) The EA/ND needs to identify any known or potentially contaminated site within the proposed Project area. For all identified sites, the EA/ND needs to evaluate whether conditions at the site pose a threat to human health or the environment.
- 3** 3) The EA/ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and the government agency to provide appropriate regulatory oversight.
- 4** 4) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose the soil rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project is planning to import soil for backfilling the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).*

Printed on Recycled Paper

**1** The environmental investigation of the project area concluded that neither past nor present historic uses have resulted in hazardous wastes/substances at the site.

**2** Known or potential contaminated sites were not identified during environmental study within the project area. Therefore the proposed construction activities at the project area are not considered a threat to human health or the environment with regard to hazardous waste issues.

**3** Environmental investigation has been performed at the project area, and it was concluded that hazardous waste issues are not anticipated for this project. If investigation/remediation were required due to encountering unsuspected or unknown contamination during construction activities onsite, the San Diego County Department of Health Services and/or the Regional Water Quality Control Board would be contacted by the Department to oversee the activities.

**4** Excavated soil will be exported for this project. The excavated soil will be relinquished to the contractor for subsequent re-use or disposal. Importing soil is not a part of this project. Environmental investigation of the project area has been conducted and it included: review of aerial photos, government agency lists regarding hazardous wastes, soil sampling and testing for aerially deposited lead, and a site reconnaissance. The investigation concluded that hazardous waste issues are not anticipated for this project. Therefore, excavated soil will be exported as clean fill material. Land Disposal Restrictions (LDRs) will not apply to the clean fill material

Mr. Jason A. Reynolds  
November 19, 2002  
Page 2

5

- 5) Any hazardous wastes/materials encountered during construction should be remediated in accordance with local, state, and federal regulations. Prior to initiating any construction activities, an environmental assessment should be conducted to determine if a release of hazardous wastes/substances exists at the site. If so, further studies should be carried out to delineate the nature and extent of the contamination. Also, it is necessary to estimate the potential threat to public health and/or the environment posed by the site. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state regulations and policies rather than excavation of soil prior to any assessments.

6

- 6) If during construction of the project, soil and/or groundwater contamination is suspected, construction in the area should cease and appropriate Health and Safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EA/ND should identify how any required investigation and/or remediation will be conducted, and the government agency to provide appropriate regulatory oversight.

DTSC provides guidance for the Preliminary Endangerment Assessment (PEA) preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP, please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

If you have any questions regarding this letter, please contact Ms. Rania A. Zabaneh, Project Manager at (714) 484-5479.

Sincerely,



Haissam Y. Salloum, P.E.  
Unit Chief  
Southern California Cleanup Operations Branch  
Cypress Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief  
Planning and Environmental Analysis Section  
CEQA Tracking Center  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

5

If unsuspected or unknown hazardous wastes are encountered during construction, environmental assessment, investigation, and characterization will be performed in accordance with local, state, and federal regulations to evaluate the nature and extent of contamination, and to evaluate the potential threat to public health or the environment. This will be followed by appropriate remediation, if necessary. The Department has performed an environmental investigation of the project area. The investigation concluded that hazardous wastes are not anticipated for this project.

6

Contamination of soil or groundwater is not suspected within the project boundary. If hazardous wastes not detected during the Department environmental assessment are encountered during construction, work will cease within the impacted location within the project area, the appropriate regulatory agencies would be notified, and the proper Health and Safety procedures would be implemented. The contaminated soil or groundwater encountered would be investigated and/or remediated in accordance with local, State, and federal regulations with appropriate regulatory oversight.



## Conservation Biology Institute

651 Cornish Drive • Encinitas, California 92024  
Phone/Fax: (760) 634-1590  
<http://www.consbio.org>

November 9, 2002

Charles "Muggs" Stoll  
Deputy District Director  
District 11, Environmental Division  
California Department of Transportation  
2829 Juan Street, M.S. 46  
P.O. Box 85406  
San Diego, CA 92186-5406

Subject: **Draft Initial Study/Environmental Assessment and Proposed Mitigated  
Negative Declaration for the Interstate 15 Managed Lanes Project**

Dear Mr. Stoll:

Thank you for the opportunity to comment on the subject document. The Conservation Biology Institute is a non-profit conservation science organization that has been active in natural resources conservation, management, and monitoring activities in San Diego County. In particular, we have been closely involved with the planning and implementation of the Multiple Species Conservation Program (MSCP). One aspect of our work has been associated with the design, management, and monitoring of wildlife movement corridors and habitat linkages within the MSCP and between Natural Community Conservation Planning (NCCP) program subregions. Our comments on the subject document are restricted to the subject of wildlife movement corridors and habitat linkages.

1

The information presented in Section 3.10 Wildlife is incomplete, the analysis of impacts is superficial, and the measures to minimize harm that are presented are inadequate to ensure that wildlife movement through the San Dieguito River Valley (Lake Hodges Bridge) is maintained in the future. The description of the Affected Environment does not adequately characterize the importance of habitat connectivity and wildlife corridors to maintaining the long-term viability of the regional preserve system. It also does not emphasize the critical nature of the movement corridors at the San Dieguito River Valley and Los Peñasquitos Creek. These river valleys are the only two remaining east-west connections linking coastal habitat preserves west of Interstate 15 with inland preserve areas east of Interstate 15. As such, the importance of enhancing habitat connectivity and facilitating wildlife movement through these areas cannot be overstated.

**1** Section 3.10 Wildlife, 3.10.1 Affected Environment will be revised in the Final Mitigated Negative Declaration (MND) to include a more detailed description of the importance of habitat connectivity and wildlife corridors within the San Dieguito River Valley (Lake Hodges and Green Valley Creek) and Los Peñasquitos Creek.

2

The analysis of impacts identifies only temporary impacts associated with the project. In fact, in the San Dieguito River Valley, the wildlife corridor under the existing Interstate 15 bridge is currently not functional for many wildlife species when the water levels of Lake Hodges are high. During high water periods in Lake Hodges, surface water covers all of the ground and vegetation under the bridge. This leaves only rip-rapped slopes at the base of the bridge abutments and the paved North Shore Segment of the Coast-to-Crest Trail as possible routes of movement for terrestrial wildlife under the bridge. Thus, at times, the bridge over Interstate 15 can completely sever the wildlife movement corridor.

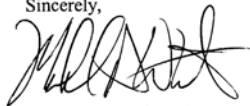
3

Mitigation measures presented in the document are associated only with the construction phase of the project. While these measures are adequate to offset the temporary impacts of the project, they are insufficient to resolve the long-term effects of the existing bridge design. We strongly encourage Caltrans to consider incorporating into the project design in the area of the San Dieguito River Valley features to facilitate wildlife movement that are not affected by the level of Lake Hodges, particularly in light of the fact that the entire bridge will be replaced as part of the project. Such a design might include a dirt path, constructed along the base of the northern and southern bridge abutments, above the high water mark of the lake. For example, where there is currently rip-rap at the base of the existing southern bridge abutment and the paved Coast-to-Crest trail on the north side of the river valley, small retaining structures could be built and soil placed on top of this to provide a level path for wildlife movement. The grade of the path would ideally transition into adjacent open space areas outside of Caltrans right-of-way and have vegetation along the margins to provide cover.

We believe that given such design modifications, which would be very small fraction of overall project costs, the wildlife corridor functions of this critically important area can be greatly improved. We applaud the efforts of Caltrans to design and implement its projects in an environmentally sensitive fashion, particularly for your efforts to provide for wildlife movement with bridges, tunnels, and other project features. We ask you to consider incorporating such features into this project.

I would be happy to discuss these issues further at your convenience.

Sincerely,



Michael D. White, Ph.D.  
Senior Ecologist


2

All impacts to wildlife corridors within the I-15 Managed Lanes corridor will be temporary and construction related. Temporary impacts to wildlife corridors at Lake Hodges, Green Valley Creek, Los Penasquitos Creek, Chicarita Creek and San Clemente Canyon are likely to occur. The proposed measures as described in Section 3.10.2 would facilitate movement and habitat use by animals such as mule deer, bobcat, mountain lion, and gray fox during construction. In addition, these measures would be consistent with the City's MSCP Land Use Agency Guidelines for those areas near the MHPA.

3

A wildlife corridor will be added to the bridge design for Lake Hodges on both the south and north sides of the bridge. This will eliminate any permanent impacts to wildlife movement underneath the bridge after the Managed Lanes are constructed. Currently, wildlife can move freely underneath the Lake Hodges bridge because the lake is not full, or use the existing riding/hiking trail on the north side of the bridge. The San Diego County Water Authority (SDCWA) is proposing to construct the Lake Hodges Inlet/Outlet project as an element of its Emergency Water Storage Project (ESP). Water levels at Lake Hodges will be maintained year round at 311 feet mean sea level (msl) by filling or withdrawing water through the proposed inlet/outlet. Maintaining the water at this elevation will inundate all riparian vegetation that currently exists within the lakebed. Once the lakebed is full (proposed construction 2004/2005), wildlife will be restricted to use the riding/hiking trail only. Caltrans is proposing the design of an additional passageway that wildlife could use on the south side of the bridge. Preliminary designs depict a 3-meter bench cut into the slope extending east from the existing nursery, underneath the bridge abutment, west to West Bernardo Road. This proposed bench will be above 311 feet msl, which will be the maintained water level of the lake. A complete description of the proposed design as well as an exhibit will be included in the Final MND.

## Mira Mesa Community Planning Group



### Executive Committee

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11975 Thomas Hayes Lane  
San Diego, CA 92126-1157

November 12, 2002

California Department of Transportation  
Attn: David Nagy  
2829 Juan Street-Old Town MS 46  
P. O. Box 85406  
San Diego, CA 92186-5406

Re: Interstate 15 Managed Lanes Project, Draft Initial  
Study/Environmental Assessment and Proposed Mitigated Negative  
Declaration.

Dear Mr. Nagy,

The Mira Mesa Community Planning Group has reviewed the  
referenced document and has the following comments:

- 1** 1. The project proposes to develop automobile access to the managed lanes at Hillery Street. While we anticipated bus access at this location, automobile access is a new proposal with potentially large impacts on Hillery and surrounding intersections, particularly the very congested intersections at Black Mountain Road and Mira Mesa Blvd. and Westview Parkway and Mira Mesa Blvd. We feel that these impacts must be assessed and mitigation provided. Careful attention to this problem could make the difference between a project that relieves traffic in a very bad area, or makes the problem intolerable.
- 2** 2. Increased traffic on Hillery could effectively block pedestrian access between Miramar College to the south and Mira Mesa Market Center to the north. This is an important route for pedestrians and the proposed changes significantly affect the walkability and pedestrian friendliness which we have been trying to promote in this area and in other parts of the community. How will pedestrian flow across Hillery be maintained?
- 3** 3. Figure 2-7 has the existing apartments north and south of the Hillery DAR outlined, and the caption is labeled "Proposed Structure" but it is not described in the text. What is intended here? The document should also assess the impact of the

**1** Subsequent to the Draft Circulation and in response to public comments, the DAR proposed at Hillery Drive has been removed from consideration as part of the I-15 Managed Lanes Project. Omission of this access would not impair the function of the project. Ingress and egress to the managed lanes would still be provided via the intermediate access points planned throughout the length of the project corridor.

**2** See Response to Comment #1 above

**3** The boxes shown in Figure 2-7 were not meant to show a proposed structure but were placed to call attention to the existing apartment buildings. This feature has been omitted from the figure.



4

project on the apartment complex, which currently has its main access point at the location of the proposed DAR.

5

4. Figures 2-22 and 2-23 illustrate the planned Direct Access Ramp in Rancho Bernardo, but no such illustration is provided for Mira Mesa. Such an illustration could help in the understanding of potential problems, and we request that a similar illustration of the Hillery DAR be provided.

6

5. Very large block walls are proposed for areas adjacent to Mira Mesa, as shown for example in figures 3-10, 3-11, and 3-13A. Our experience has shown that such large flat walls with minimal or no landscaping are graffiti attractors. The project should include landscaping sufficient to deter graffiti, and a graffiti removal plan to quickly remove any graffiti that does appear.

6. Some of the large block walls are very stark and would look much better with some additional landscaping, and if possible with a reduction in height. Figure 3-13A, for example, looks very bleak compared to Figure 3-13. Also, the high wall in Figure 3-13A blocks views of Los Peñasquitos Canyon Preserve and the future Canyon Hills Park which are currently visible from that location.

Please feel free to contact me if you have any questions regarding these issues. I can be reached by telephone at (619) 985-4094 (cellular) or (858) 693-4079 (home). My e-mail address is [tbrengel@san.rr.com](mailto:tbrengel@san.rr.com).

Sincerely,



Ted Brengel  
Chairman  
Mira Mesa Community Planning Group

cc: Mayor Dick Murphy (via e-mail)  
Councilmember Brian Maienschein (via e-mail)  
Ms Cecilia Williams, City of San Diego Planning Department (via e-mail)

4

See Comment #1

5

The walls shown in figures shown in figures 3-10 and 3-13A show a worst case scenario that was used in the visual assessment report. These walls would be subject to all feasible visual mitigation measures as described in Chapter 3.16.3. Figure 3-11 shows a large wall that was split into two walls with a planting pocket between them.

6

Wall heights were determined based on results of the Technical Noise Study and Reasonable Feasible Analysis in order to maximize abatement of noise.

All walls in the corridor would receive architectural treatment and/or landscaping where feasible per the mitigation measures discussed in Chapter 3.16.3.



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November 19, 2002

Mr. David Nagy  
Associate Environmental Planner  
MS.46, P.O. Box 85406  
San Diego, CA 92186-5406

**Subject: Interstate 15 Managed Lanes Project  
Draft Initial Study/Environmental Assessment and  
Proposed Mitigated Negative Declaration**

Dear Mr. Nagy:

Thank you for providing the San Dieguito River Park Joint Powers Authority (JPA) an opportunity to review and comment on Caltrans' draft Initial Study/EA/MND for the I-15 Managed Lanes project. As you know, the I-15 northern segment that crosses Lake Hodges is within the San Dieguito River Park Focused Planning Area (FPA). These comments reflect those of the JPA Board after consideration of the information in the draft IS/EA/MND and a presentation by Chris Thomas and Everett Townsend of Caltrans to the River Park's Citizens Advisory Committee (CAC) on November 1, 2002. Our comments are intended to ensure that all legal requirements are met without delaying the project.

The JPA appreciates Caltrans' proactive approach in coordinating the design of this project with River Park staff. Caltrans' staff has met with River Park staff to discuss design approaches and details on several occasions. Design considerations have included minimizing impacts to the River Park's existing Lake Hodges North Shore Trail undercrossing that passes underneath I-15, and connecting the Class I bike path planned along the north side of the Pomerado Road Bridge over I-15 with the River Park's proposed Class I bike path along West Bernardo Road. As you know, the River Park is currently pursuing permits from the City of San Diego for a pedestrian/bicycle bridge over Lake Hodges just west of I-15 and a connecting trail along West Bernardo Road.

Our specific comments on the draft MND/EA are as follows:

**1**

1. Page 54 of the draft MND/EA acknowledges the San Dieguito River Park; however, a 4(f) evaluation was not included in the document. The northern segment project area is within a heavily used recreational area that should be evaluated with respect to Section 4(f), Protection of

Recycled Paper

**1** Though the park is adjacent to the I-15 facility all uses that would occur next to the freeway are transient in nature and would not constitute a 4(f) impact. In addition, Bridge construction at Lake Hodges would result in temporary disruptions to trail users and would result in approximately five days of complete closures. Impacts to the trail beneath the Lake Hodges Bridge would not be considered an impact to a Section 4(f) resource ( 49 U.S.C. Sec 303 and FHWA Policy Paper September 24, 1989 #14 and #22) since the trail is located within State right-of-way and is considered a secondary use of the property. A condition of the encroachment permit dated October 13, 1994 states that, "Permittee will vacate the State Right of way, should such right of way become needed for highway purposes;" thus, further illustrating that the trail is a secondary use of the property. The requirements of Section 4(f) do not apply to the subsequent highway construction on the reserved right-of-way as previously planned.

See Comment #2 on the letter from San Dieguito River Valley Conservancy regarding Sikes Adobe.

The temporary construction easements are required for access only and would be temporary in nature per the conditions stated within the Section 4(f) Policy Paper and 49 U.S.C.

Publicly Owned Park, Recreation Area, Wildlife or Waterfowl Refuge, or Land from Historic Sites.

2

2. According to the draft MND/EA, the project will cause up to a 4 decibel increase in noise levels within the open space area of segment 12 which is adjacent to the Hodges North Shore Trail. However, no mitigation is proposed to reduce noise levels along the trail because this area is "not considered an area of frequent human use that would benefit from a reduced noise level" (page 87). There are several resources on the east side of I-15 that warrant protection from increased impacts from this project under Section 4(f) (Protection of Publicly Owned Park, Recreation Area, Wildlife or Waterfowl Refuge, or Land from Historic Sites). This area is, in fact, heavily used as a recreational resource by the public. The North Shore Trail segment of the Coast to Crest Trail is an extremely popular regional multi-use trail that receives approximately 300 trail users per day on weekends. In addition, Lake Hodges is designated by the National Audubon Society and American Bird Conservancy as a Globally Important Bird Area and the historic homestead of Sikes Adobe is listed as a state historic site. In 2003, the adobe farmhouse will be restored to its 1880 "period of significance" by the San Dieguito River Park under a state legislative grant. These resources will be significantly impacted by the widening and increased traffic associated with this project. The MND/EA should address this and require noise mitigation consisting of a landscaped berm/noise wall along the east side of I-15 to mitigate increased noise levels in this recreational area.

3

3. Page 55 of the draft MND/EA discusses the impact of the project from the reconstruction of the Hodges I-15 Bridge to the Hodges North Shore Trail undercrossing that exists under I-15. The MND/EA states that there will be both a temporary and permanent reduction in clearance of the trail undercrossing from the existing 12' to 11'. However, Caltrans representatives reported at the San Dieguito River Park CAC meeting that the I-15 Bridge will be completely replaced instead of reconstructed resulting in maintaining the trail clearance at 12'. The San Dieguito River Park was pleased to hear of this project change. The final MND/EA should reflect this significant change in the project.

4

4. The draft MND/EA lists several measures to "minimize harm" to the Hodges North Shore Trail during construction (pages 56 and 57). These measures include minimal disruption to the trail during construction and only "minimal" closures; the trail would remain open

2 See Comment #1

3 Page 55 of the draft EA/IS was in error and has been revised to show that there will not be a reduction in the trail height since the bridge will be replaced. Replacement of the bridge was shown in the draft EA/IS in Table 2-2 and was discussed elsewhere in the document.

4 The Department understands the importance of this trail in relation to the network of trails that exists throughout the connected open space and will make every effort to keep this trail open as discussed in section 3.4.3. During the preconstruction meeting for this contract, the contractor will be made aware of all conditions related to the trail.

Section 3.4.3 contains many different mitigation measures to help mitigate construction related impacts. In addition, the Department will continue to coordinate with JPA staff in order to minimize impacts to park users to the greatest extent practicable.

on weekends, holidays, and for special events; and major construction equipment would be permitted to cross the trail only in the early morning and late evening when there is less traffic on the trail. In addition, Caltrans representatives reported to the CAC that during demolition of the I-15 Bridge, which would take about two weeks, trail closures would only occur at night and the trail would remain open during the daytime. The San Dieguito River Park is very concerned about impacts of this major project on the trail and appreciates the efforts of Caltrans to minimize the disruption. The River Park should be ensured that Caltrans contractors are educated about the procedures that need to be followed during construction in and around the trail. We recommend that a detailed list of construction procedures and measures be agreed to between Caltrans and the San Dieguito River Park staff so that both parties are informed. The procedures should be reviewed at pre-construction meetings and understood and followed by all contractors working on the project.

5

5. In addition to potential impacts to the trail itself as discussed in comment #4, the San Dieguito River Park is concerned about construction impacts to the habitat around the project site. Although the MND/EA states that all work would occur within the Caltrans right-of-way, our experience is that construction contractors and equipment frequently cause impacts to habitat outside of a "construction zone". As stated in comment #4, a detailed list of construction procedures and measures should be agreed to by Caltrans and the San Dieguito River Park staff. The procedures should be reviewed at pre-construction meetings and understood and followed by all contractors working on the project.

6

6. Any habitat impacted in the San Dieguito River Park FPA should be replaced within the FPA. The draft MND/EA states that the Bonita Meadows Mitigation Site in Proctor Valley will be used as mitigation for impacts resulting from the project. However, the Biological Opinion mentions three parcels on the north side of Lake Hodges (within the San Dieguito River Park FPA) to mitigate for direct impacts and that a mitigation bank can be used for mitigation. It appears that the Lake Hodges parcels are to mitigate for direct impacts and the Proctor Valley site is mitigation for cumulative impacts. The final MND/EA should be revised to better explain the amount and location of proposed mitigation areas.

7

7. At the CAC meeting Caltrans representatives stated that the design of the new I-15 Bridge will include a "dry" wildlife crossing under the

5

As discussed in response #4, the contractor will be made aware of all issues that are relevant to the park and trail users. The Department will continue to coordinate with JPA staff in order to minimize impacts to park users to the greatest extent practicable.

6

Two different sites have been obtained to mitigate biological impacts. The first site is comprised of three parcels of land near Lake Hodges, referred to as the Walsh Property, with a total of 81 acres of CSS and 12 gnatcatcher territories. Although this parcel is outside of the City's boundaries, it is immediately adjacent to the San Dieguito River Valley Park's recently acquired Bernardo Mountain parcel and the City's MHPA surrounding Lake Hodges. The second site, Bonita Meadows, is located in southeast San Diego and consists of 200 acres of preserved land with 72.51 acres of CSS and eight gnatcatcher territories.

Mr. Nagy  
November 19, 2002  
Page 4

south side of the new bridge to accommodate wildlife under I-15 when Lake Hodges is full. A wildlife crossing is certainly warranted in this location since I-15 represents a major barrier to wildlife movement along a regionally significant corridor in the San Dieguito River Valley. When the lake level is low, mammals (such as mule deer and mountain lion) and other wildlife frequently pass under I-15 to get to the water's edge. The San Dieguito River Park was pleased to hear of this addition to the project and would like to see the final MND/EA reflect the project change.

Again, the San Dieguito River Park appreciates the opportunity to comment on the draft MND/EA and the communication between River Park and Caltrans staff on design issues. We look forward to resolution of the issues outlined above and ongoing coordination with Caltrans on this important project. Please feel free to contact the River Park's Environmental Planner, Shawna Anderson (858-674-2275, ext. 13), if you have any questions regarding our comments. We look forward to receiving the final MND/EA.

Sincerely,



Dick Bobertz  
Executive Director

7 A wildlife crossing is planned on the south side of the Lake Hodges overcrossing. Further details regarding this structure can be found in section 3.10 or in the responses to the letter from the Conservation Biology Institute.



San Dieguito River Valley Conservancy

November 21, 2002

Mr. David Nagy  
Associate Environmental Planner  
MS 46, P.O. Box 85406  
San Diego, CA 92186-5406

**Subject: Interstate 15 Managed Lane Project – Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration**

Dear Mr. Nagy:

Included in this letter are the comments of the San Dieguito River Valley Conservancy concerning the Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration for the proposed Interstate 15 Managed Lanes Project, which has been publicly circulated. The San Dieguito River Valley Conservancy is a 16 year-old private, non-profit citizen organization with 1,500 members, whose mission is to protect the resources of the San Dieguito River Valley and to promote the implementation of the 55-mile, ocean to Volcan Mountain, San Dieguito River Park.

Our comments can be summarized as follows:

- The significant noise impacts to the regional River Park and public trail system at the north end of the Lake Hodges Bridge have not been appropriately recognized or addressed. A noise reduction measure—preferably a naturally landscaped berm—should be included east of the freeway, north of the Lake Hodges Bridge
- The significant negative impacts of the existing bridge on east-west wildlife movement, which will be aggravated by the widened, rebuilt bridge, and the opportunity the proposed bridge reconstruction provides to remedy this regionally significant problem have not been identified nor adequately addressed. The project should be designed to ensure for the passage of wildlife under the Lake Hodges Bridge during high lake level conditions.

#### Noise Impacts to Users of the San Dieguito River Park

1

Section 3.7.1 (Page 63) identifies “parks” as a “sensitive receptor” with respect to noise. Figure 3-24 (in the figures following Page 146) identifies “parks” under Activity Category B with respect to noise standards and lists a Noise Abatement Criteria of 67 dBA Leq(h) for this category. Section 3.7.2 (Page 72) states, “Traffic Noise impacts are defined by the Department’s Traffic Noise Analysis Protocol to occur when there is a substantial increase (12 dBA) in noise with the project or when the predicted noise levels from the project approach (1 dBA) or exceed the Noise

1 Trail use is considered to be transient in nature thus no areas of frequent human use exist in accordance with 23 CFR 772. In addition this trail was constructed under I-15 through state R/W via a permit identifying that impacts could occur to the trail due to future widening and that the park agreed that these impacts would not impair the function or use of the trail.

Abatement Criteria (NAC)” (emphasis added). Table 3-6 Noise Impacts (beginning on Page 92) indicates that all 5 of the sample sites along the public trail area of the Coast-to-Crest Trail of the San Dieguito River Park have predicted post-project noise levels in excess of the 67 dBA NAC previously cited. In 3 of these cases the exceedance is by 5 dBA. Although we are not acoustical engineers, we are familiar enough with noise measurement to understand that this is a significant increase. (The Concise Encyclopedia of the Sciences in its definition of “Decibel” says, “Doubling the noise level adds 3 to the decibel rating.”)

The San Dieguito River Park and Coast-to-Crest Trail meet the definition of a “sensitive receptor.” Because the project noise projections exceed the Noise Abatement Criteria, the projected noise levels exceed the traffic noise impacts threshold potentially requiring mitigation. According to the report (Page 87), the Noise Study Report and Reasonable Feasible Analysis considered a noise barrier along the key eastside stretch, north of the Lake Hodges Bridge, where there is a staging area for a trail, which extends under I-15 and 17 miles along North Lake Hodges and through the San Pasqual Valley. This option is summarily dismissed in the analysis because, “This area is not considered an area of frequent human use that would benefit from reduced noise level.” (Page 87) This conclusion is not supported, is completely judgmental, and discounts the significance of a major recreational resource. The trail has a substantial and growing use and is a major element of the San Dieguito River Park and County of San Diego trails systems.

A sound barrier measure—preferably as natural, or natural appearing, as possible—to reduce the noise impacts of this critical trails segment should be re-analyzed and evaluated in the appropriate context of its mitigation potential for a major regional recreational resource. The reduction in noise impacts on major recreational uses in our increasingly urbanized region needs to be specially recognized and weighed.

2 With respect to Segment 12 in 3.7.1 **Affected Environment** (beginning Page 70), although the draft report contends that impacts to future land uses do not need to be mitigated, the fact that the future headquarters and visitor center for the San Dieguito River Park is planned to be located north and east of the Lake Hodges Bridge--within about 700 feet of the increased-capacity and noisier freeway--should be identified for the public.

3 (Editorial Notes: 1) there is an apparent typo on Page 87 in the fourth paragraph, where the conversion for 50 meters is specified as “1.5 feet”; 2) the use of a “1:3000” scale on Figure 2-1 through Figure 2-28 may be a standard technical practice, but it does not seem appropriate for a public review document.)

Aggravation of Existing Major Negative Impacts Of Lake Hodges Bridge to Regionally Significant Wildlife Movement Corridor & Need to Take Advantage of Opportunity to Remedy the Situation

4 Reportedly, Caltrans has announced its intention to include a wildlife crossing under the new I-15 Lake Hodges Bridge. However, the wildlife movement issue is inadequately addressed in the draft document and the bridge under-crossing design feature is not discussed in the draft report.

2 Caltrans’ Architectural Historians, Headquarters Environmental Analysis Division, has concluded that the Sikes Adobe, location of the new headquarters building, will not be directly or indirectly affected by the proposed project. There will be no appreciable visual or audible changes to the current setting of the Sikes Adobe for the following reasons:

- All proposed construction will be contained within the existing I-15 right of way (r/w).
- The Sikes Adobe is a considerable distance from the r/w (500 feet at its closest point).
- Structures (a 2-3 story, 600 foot long self storage facility and a water reclamation plant) and dense stands of vegetation intervene between the adobe and the project.
- No substantial change in noise level (0.8 decibel increase) will occur as a result of the project.

In regards to the final point, a noise analysis study was carried out on December 19, 2002 a District 11 Noise Specialist. A field measurement was made during the PM peak noise hour and the measurement showed that the Sikes Adobe is currently not impacted (64.9 dBA). The 2002 traffic noise model prepared for this project was run using coordinates obtained from GIS mapping, since the receptor was beyond the limits of the microstation topo. The result was 65.7 dBA. Since this receptor is a considerable distance from the main lane traffic it is very likely that the model may be over predicting, as it does not consider atmospheric attenuation. In addition, the noise measurement was taken on the front side of the building (front yard), whereas in normal practice noise measurements are taken in the backyard and are usually significantly lower.

The project’s Area of Potential Effects (APE) has been defined in the vicinity of the Sikes Adobe as the existing I-15 right of way, based on all the above considerations.

3 The Typo on page 87 has been corrected.

The Comment regarding the use of 1:3000 scale photos is noted

4 The Department is proposing to construct a wildlife crossing along the southern abutment slopes below the Lake Hodges Bridge during the bridge replacement. The crossing will be 3 m (10 ft.) in width with a minimum vertical clearance of 3 m (10 ft.). Additional details can be found in Chapter 3.10 or in the responses to the letter submitted by the Conservation Biology Institute.

5

The **Affected Environment** discussion in 3.10.1 (Page 115) does not adequately describe the significance of the wildlife corridor along the San Dieguito River through the Lake Hodges area and the San Pasqual Valley nor does it address the impacts to this critical corridor.

The Lake Hodges/San Pasqual wildlife corridor is a major east-west habitat linkage, one of the remaining two identified as having the potential in San Diego County to maintain a viable connection between resource areas in eastern San Diego County and key areas along the coast. The **Impacts** Section 3.10.2 (Page 116) identifies only “temporary impacts” to the wildlife corridor at Lake Hodges and proposes only construction-related mitigation measures.

The existing bridge across Lake Hodges is not designed to accommodate east-west habitat movement, especially during periods of high lake levels. During high-water periods, the options for wildlife movement are either along the rip-rapped slopes of the bridge abutments or through the very limited passageway of the North Lake Hodges Segment of the Coast-to-Crest Trail that runs under I-15 north of the Lake Hodges Bridge.

Without a design feature to specifically provide for habitat movement, the reconstruction and widening of the Lake Hodges Bridge will aggravate these very significant impacts to wildlife movement in this critical regional habitat corridor. The rebuilding of the Lake Hodges Bridge provides a once-in-a-century opportunity to remedy the present unsatisfactory blockage of wildlife movement. The project should not aggravate this serious deficiency but should be the opportunity to restore this critical wildlife linkage.

The Lake Hodges Bridge should be designed with an appropriate span to provide for a level path for wildlife movement under the bridge during periods of high water. This level passageway should be of sufficient width and should transition to areas appropriate for wildlife movement.

The Conservation Biology Institute (CBI) is presently preparing a Habitat Management Plan for the Lake Hodges/San Pasqual area. CBI should be consulted about the design of a wildlife passage under a reconstructed Lake Hodges Bridge. They can assist in ensuring the design of a wildlife passage under the bridge is consistent with and supportive of the broader regional habitat plan.

Additional attention should also be directed to wildlife passage issues relating to the Hodges North Shore Trail under-crossing north of the Lake Hodges Bridge. At best, this is a secondary wildlife corridor, but it is important because of the bottleneck for wildlife movement of the I-15 crossing of Lake Hodges. The potential to improve the functionality of this passage for wildlife should be explored, especially the issue of appropriate approach areas and design of the opening for this passageway. In addition, given the role of this underpass as a secondary habitat corridor at a severely constrained point, the idea of lighting this facility needs to be re-evaluated—especially with respect to over-night periods of wildlife movement. The Conservation Biology Institute and the San Dieguito River Park staff can assist on this issue.

6

5

Section 3.10 Wildlife, 3.10.1 Affected Environment will be revised in the Final Mitigated Negative Declaration (MND) to include a more detailed description of the importance of habitat connectivity and wildlife corridors within the San Dieguito River Valley (Lake Hodges and Green Valley Creek) and Los Penasquitos Creek.

All impacts to wildlife corridors within the I-15 Managed Lanes corridor will be temporary and construction related. Temporary impacts to wildlife corridors at Lake Hodges, Green Valley Creek, Los Penasquitos Creek, Chicarita Creek and San Clemente Canyon are likely to occur. The proposed measures as described in Section 3.10.2 would facilitate movement and habitat use by animals such as mule deer, bobcat, mountain lion, and gray fox during construction. In addition, these measures would be consistent with the City’s MSCP Land Use Agency Guidelines for those areas near the MHPA.

A wildlife corridor will be added to the bridge design for Lake Hodges on the south side of the bridge. This will eliminate any permanent impacts to wildlife movement underneath the bridge after the Managed Lanes are constructed. Currently, wildlife can move freely underneath the Lake Hodges Bridge because the lake is not full, or use the existing riding/hiking trail on the north side of the bridge. The San Diego County Water Authority (SDCWA) is proposing to construct the Lake Hodges Inlet/Outlet project as an element of its Emergency Water Storage Project (ESP). Water levels at Lake Hodges will be maintained year round at 311 feet mean sea level (msl) by filling or withdrawing water through the proposed inlet/outlet. Maintaining the water at this elevation will inundate all riparian vegetation that currently exists within the lakebed. Once the lakebed is full (proposed construction 2004/2005), wildlife will be restricted to use the riding/hiking trail only. Caltrans is proposing the design of an additional passageway that wildlife could use on the south side of the bridge. Preliminary designs depict a 3-meter bench cut into the slope extending east from the existing nursery, underneath the bridge abutment, west to West Bernardo Road. This proposed bench will be above 311 feet msl, which will be the maintained water level of the lake. A complete description of the proposed design as well as an exhibit will be included in the Final MND.

The Lake Hodges North Shore Riding/Hiking Trail on the north side of the Lake Hodges Bridge will remain after the proposed Managed Lanes are constructed. This wildlife corridor along with the additional passageway proposed on the southside of the Lake Hodges Bridge will allow wildlife to move freely under I-15 and will improve the functionality of the passage for wildlife once Lake Hodges is full and maintained at the mean spillway elevation (311 feet msl).



Additional Comments:

7

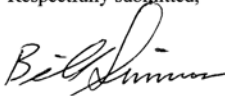
- Figure 3-6 (in figures following Page 146) should be updated to reflect the recent purchase of a major 232 acre parcel on Bernardo Mountain and the fact that the public open space area just west of the project has been significantly expanded.

8

- We share the concern, raised by the San Dieguito River Park, regarding the lack of any 4(f) evaluation for a project directly impacting a major regional park.

Thank you for the opportunity to comments on this project. We are hopeful that the additional mitigation measure we have identified can be carefully considered and added to enhance the project.

Respectfully submitted,



Bill Simmons  
President  
San Dieguito River Valley Conservancy



Craig Adams  
Executive Director  
San Dieguito River Valley Conservancy

6

Lighting that currently exists underneath the Lake Hodges Bridge consists of low, foot level lights that are directed at the riding and hiking trail. Any future design would be consistent to what currently exists underneath the bridge. In addition, lights will be proposed to run on timers, which would shut them off at a predetermined time, eliminating any potential indirect impacts to wildlife movement underneath the bridge. The proposed design of the lights and their potential effects on wildlife movement will be further addressed in Section 3.10 Wildlife in the Final MND.

7

The figures have been updated to reflect the recent purchase

8

Please see comments #1 in the letter from the San Dieguito River Park regarding 4(f) issues

1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466  
FAX (619) 234-3407

**VIA FAX @ 619-688-3192**

November 22, 2002

CIP 20432

Mr. David Nagy  
California Department of Transportation  
2829 Juan Street, MS 46  
San Diego, CA 92186-5406

Dear Mr. Nagy:

Subject: INTERSTATE 15 MANAGED LANES PROJECT, DRAFT INITIAL STUDY/  
ENVIRONMENTAL ASSESSMENT AND PROPOSED MITIGATED NEGATIVE  
DECLARATION REVIEW COMMENTS

Thank you for the opportunity to comment on the California Department of Transportation (Caltrans) Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration (MND) for the Interstate 15 (I-15) Managed Lanes Project. As you are aware, Caltrans, the San Diego Association of Governments (SANDAG), and MTDB are working together to develop the I-15 Managed Lanes/Bus Rapid Transit (ML/BRT) Project. The purpose of the project is to improve mobility within the north I-15 corridor by making it easier and more efficient for people to use alternative transportation modes, such as transit service and carpools.

We have reviewed the referenced document and have the following comments:

1. Figure 1-4A, Proposed 2020 3 + 1 Managed Lane Traffic Flow and Page 22, Hillery Drive DAR. According to the figure's traffic numbers, the Direct Access Ramp (DAR) at Hillery Drive will have daily traffic volumes of 15,000. Hillery Drive is a two-lane collector road and could not accommodate this traffic volume increase. Over the past three years, MTDB has been working with Miramar College to locate an off-street transit center serving the college and Mira Mesa/Scripps Ranch communities. Given the need for an off-street transit center in Mira Mesa to handle current transit needs, in addition to the fact that most of the project funding for construction of this station has already been secured from sources separate from the ML/BRT Project, we plan to move ahead with the environmental studies in FY 2003 and final design in FY 2004. Assuming that the remaining funding balance becomes available, construction could take place in FY 2005. Because the Caltrans DAR improvements will add a significant volume of traffic to the local roadway network, the mitigation for this additional traffic on Hillery Drive, and the congested intersections of Black Mountain Road and Mira Mesa Boulevard, and Westview Parkway and Mira Mesa Boulevard due to the DAR should be borne by the Caltrans' Managed Lanes Project and not the MTDB Mira Mesa Transit Center.

Member Agencies: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, County of San Diego, State of California

Metropolitan Transit Development Board is Coordinator of the Metropolitan Transit System and the Taxicab Administration  
Subsidiary Corporations: San Diego Transit Corporation, San Diego Trolley, Inc., and San Diego & Arizona Eastern Railway Company

1 Subsequent to the Draft Circulation and in response to public comments, the DAR proposed at Hillery Drive has been removed from consideration as part of the I-15 Managed Lanes Project. Omission of this access would not impair the function of the project. Ingress and egress to the managed lanes would still be provided via the intermediate access points planned throughout the length of the project corridor.

2. Page 16, Managed Lanes Alternative, Structures. Since many of the existing overcrossing structures in the I-15 corridor will need to be replaced, please consider adding transit priority, such as queue jumpers and transit signal priority on the following reconstructed bridges to speed up transit travel time: Duenda Road, Camino Del Norte, Carmel Mountain Road, Rancho Bernardo Road, and Ted Williams Parkway.
3. Page 17, Managed Lanes Alternative, Ramp Realignments. Since ramp realignments would be required at several locations to accommodate additional widening on these ramps and to accommodate widening of the main lanes, please add a high-occupancy-vehicle (HOV) only lane on all freeway on-ramps to further encourage transit and carpooling. Additional California Highway Patrol (CHP) enforcement should also be increased at these locations.
4. Page 22, Managed Lanes Alternative, Enforcement/Emergency Vehicles. We have observed 30 percent to 35 percent violation rates of single-occupant-vehicles (SOVs) in the HOV on-ramp lanes. We have also received complaints from community members that enforcement on HOV on-ramps needs to be increased to discourage SOV use. Therefore, we recommend increased CHP enforcement for the HOV on-ramp lanes and the managed lanes. The revenue generated from additional enforcement could be used to fund the extra enforcement and transit operations.
5. Page 26, Nonstandard Mandatory and Advisory Design Features. The Sabre Springs DAR overcrossing sight distance design exception should be further analyzed to ensure safe BRT vehicle operations.
6. Page 31, Management Strategies for Excess Capacity. The environmental document explains that if the Value Pricing program is not implemented, nonpricing management strategies would be investigated as part of the Managed Lanes Project. These nonpricing strategies could include allowing other vehicles, such as light service trucks, light delivery trucks, taxis, electric vehicles, or other certified high-mileage vehicles to use the managed lanes without a fee. MTDB does not support allowing light service and delivery trucks to use the managed lanes or for taxis to use the managed lanes without a fee. Allowing these vehicles to use the managed lanes deters from the regional HOV/ML policies contained in the draft 2030 Regional Transportation Plan and the ML/BRT Project goal to encourage people to use alternative travel modes and to provide less congested traffic conditions for alternate transportation users (such as transit users and HOVs).
7. Section 3.17.2, Impacts and Section 3.17.3, Measures to Minimize Harm. The document states that the main lanes of I-15 will have the same number of freeway lanes during peak hours as currently exist; therefore, additional delays during peak times due to construction on the main freeway lanes would be minimal. We believe that traffic will be impacted with slower travel speeds and increased congestion due to shifting traffic during construction, narrowing travel lanes and shoulder widths, and "rubber-necking" by drivers passing construction areas.

2 Additional through lanes will be added at Camino Del Norte, Carmel Mountain Road, Rancho Bernardo Road, and Ted Williams Parkway.

Transit priority will be included in final signal and structure design, where feasible. Additional through lanes will be added at Camino Del Norte, Carmel Mountain Road, Rancho Bernardo Road, and Ted Williams Parkway.

3 Ramp HOV bypass lanes currently exist on many of the ramps in the corridor. HOV by-pass lanes have been investigated for those ramps that don't currently have them and where feasible, they have been added. Please see Comment #5 regarding CHP enforcement.

4 Comment noted. Observations of the violation rate do not indicate a very high violation rate on the HOV by-pass lanes at ramp meters. However, Caltrans supports the concept of additional CHP enforcement and is incorporating CHP enforcement areas, where feasible. However, the fines paid by violators can not be used for enforcement or transit purposes in the corridor.

5 The design exception noted is on the managed lanes, not the overcrossing structure. As stated in the June 10, 2002 Design Exception Fact Sheet: "The existing reversible HOV facility terminates at the HOV ramp overcrossings just south of SR-56. The existing profile was raised to create the vertical clearance necessary for the ramp structures. The existing reversible HOV lanes do not continue north within the median, however, the proposed managed lanes will extend the existing profile. Similar to the south end, a crest and a sag vertical curve are needed to bring the Managed Lane profile down to match the existing main lanes. As a result, two non-standard sight distance locations are created (one for the sag and one for the crest) because the profile needs to provide vertical clearance for the Sabre Springs DAR OC."

6 Comment noted. Before any non-pricing strategies would be implemented, additional studies, public input, and new legislation would be required.

Mr. David Nagy  
November 22, 2002  
Page 3

8

Thus, it is important to recognize that transit will not be able to mitigate construction related impacts without increased resources and use of freeway shoulder lanes for transit priority. The current Transit Mobility Plan (TMP) for Unit 1 of the middle segment of the managed lanes construction only provides enough money to fund an additional bus to mitigate impacts to the current transit schedule of Route 20 from expected construction delays. Additional money should be allocated to increase transit operating frequencies, implement new routes, and increase marketing efforts to encourage I-15 users to utilize transit on their daily commute trip. Caltrans should promote the use of highway TransNet dollars for I-15 construction mitigation for transit operations (MTDB is using transit TransNet dollars for construction mitigation for Interstate 8 automobile traffic impacts from Mission Valley East construction).

9

The demand management strategy calls for the funding additional transit service, but no resources are currently included in the Unit 1 TMP. The funding of additional transit service should be included in the final Caltrans TMP for all stages of the Managed Lanes construction.

8.

10

Page 148, Cumulative Impacts. Please delete the freeway transit station Carmel Mountain Ranch and add South Escondido/Del Lago. There are five freeway transit stations: Escondido (an existing transit center), South Escondido (Del Lago, across from North County Faire), Rancho Bernardo, Sabre Springs, and Mira Mesa.

9.

11

Appendix I, Coordination. This appendix should also note that Caltrans, MTDB, North County Transit District (NCTD), and SANDAG held various meetings of the I-15 Policy Advisory Committee (PAC) to brief and gain input from elected officials in the north I-15 corridor. Meetings were held on the following dates: September 18, 2002, May 23, 2002, February 14, 2002, June 10, 2000 (meeting cancelled, but a written summary of key issues was provided to the PAC), September 9, 1999, May 27, 1999, March 25, 1999, August 6, 1998, and May 28, 1988.

Again, thank you for the opportunity to work with Caltrans to implement this regionally significant project and to comment on the Caltrans Draft Initial Study/Environmental Assessment and Proposed MND for the I-15 Managed Lanes Project.

Sincerely,



Toni Bates  
Director of Planning and Development

Alsla  
L-MNDCMTS.KDONNE

cc: Kathy Donnelly  
Dave Schumacher

7

The use of freeway shoulder lanes, for transit priority in the construction zone, is currently under review. Comment noted. Freeway lane capacities are reduced when lane and shoulder widths are reduced. This reduction can be very minor if the detour design is able to provide a full standard right shoulder and only the inside lane widths are reduced. So for analysis purposes, the detours will provide about the same level of service on the freeway lanes as existing conditions.

8

As outlined in the project TMP (Transportation Management Plan—not Transit Mobility Plan), Caltrans will employ various congestion management strategies—in addition to transit enhancement—to mitigate construction related impacts. Other potential mitigation measures include Freeway Service Patrol, Public Information ads (radio, newspaper, TV), CHP construction zone speed enforcement (COZEEP), portable changeable message signs (CMSs), closed circuit television cameras (CCTVs), highway advisory radio (HAR). Funding will be prioritized and allocated based on the cost-effectiveness of the particular strategy, with details determined during final design.

9

The Middle Segment Unit 1 currently has \$160,000 allocated for enhancing transit service in the corridor.

10

The text has been changed to reflect the five transit station locations

11

Thank you for the additional coordination information. Appendix I will be updated to include these meetings



## County of San Diego

### DEPARTMENT OF PUBLIC WORKS

JOHN L. SNYDER  
DIRECTOR  
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FAX: (858) 268-0461

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COUNTY ENGINEER  
COUNTY AIRPORTS  
COUNTY ROAD COMMISSIONER  
TRANSIT SERVICES  
COUNTY SURVEYOR  
FLOOD CONTROL  
WASTEWATER MANAGEMENT

November 21, 2002

Mr. Charles Stoll, Deputy District Director  
Caltrans District 11  
P.O. Box 85406, M.S. 46  
San Diego, CA 92186-5406

#### INTERSTATE 15 MANAGED LANES PROJECT – DRAFT INITIAL STUDY / ENVIRONMENTAL ASSESSMENT AND PROPOSED MITIGATED NEGATIVE DECLARATION

Dear Mr. Stoll,

County staff has reviewed the Interstate 15 Managed Lanes Project – Draft Initial Study/  
Environmental Assessment and Proposed Mitigated Negative Declaration report  
prepared by Caltrans dated October 2002. The following are our comments:

1

- The report should include a Level of Service (LOS) summary table. The summary table should show the projected LOS differences between the No Build Alternative and the I-15 ML Project. The LOS analysis should be shown for each segment of I-15, in both the ML and mainline.

2

- The timing of the proposed construction phases should be included in the report.

3

- Figures 2-32 and 2-33 show a conceptual photosimulation of a proposed Direct Access Ramp (DAR) for Rancho Bernardo. The photosimulation should be enhanced to show proposed intersection control at the intersections of the DAR and the Managed Lane ramps. An operational assessment of the DARs onto the Managed Lane ramps should also be provided. This should include:

- Queuing/stacking of vehicles on the DAR and between the Managed Lane ramps, especially during rush hour
- Expected amount and length of pockets for transit/vehicles to enter the Managed Lane ramps
- Intersection Control
- Sight distance

1

Traffic comparisons of all three scenarios can be obtained from Figures 1-2A through 1-4B: Traffic Maps

2

Comment Noted

3

Operational Assessment of the DARs -  
The traffic Analysis performed looked at the type of intersection control needed, the amount of traffic on each leg, length of queues that would develop, and traffic weaving onto/ or exiting the Managed Lanes.

The design of the DARs took into account bus transit vehicles in determining curb returns. Sight distance was based on HDM standards and the length of ramps was based on providing adequate storage for vehicles on the ramps.

11/15/2014 03:44 FAX

003

Charles Stoll  
November 21, 2002  
Page 2

4

- The report does not mention potential effects from any possible improvements to the existing I-15 and SR56/Ted Williams Parkway interchange. The report should include a brief discussion and/or show an additional Project Features Map with alternate I-15/SR56 interchanges.

5

- On page 6, ridership rates are given for buses and carpools. The basis for these ridership rates should be included in the Appendix.

If you have questions or need additional information, please call me at (858) 694-3728.



BOB GORALKA  
Project Manager

4

Impacts to 15/56 are included within the document. Refer to wetlands and waters section and project features maps for exact locations of impacts at this intersection.

5

The ridership rates on page 6 are based on assumptions used in the Regional Transportation Model.

**RANCHO BERNARDO  
COMMUNITY PLANNING BOARD**  
PMB 230 - 11808 Rancho Bernardo Road #123  
San Diego, CA 92128-1902

November 21, 2002

David Nagy  
Caltrans, District 11  
2829 Juan Street – Old Town, M.S. 46  
San Diego, CA 92186-5406

SUBJECT: Interstate 15 Managed Lanes Project (Draft Initial Study/EA and Proposed Mitigated Negative Declaration)

Dear Mr. Nagy:

The Rancho Bernardo Community Planning Board appreciates the efforts Caltrans has made to provide information regarding the Interstate 15 Managed Lanes Project to the community, particularly the open house that was held on November 14. We understand the need for this project, but at the same time, we believe that every effort should be made to minimize the effects of this project on the residents who live in proximity to I-15.

1

The Planning Board, having reviewed the draft EA/MND, believes that the document does not adequately address the requirements of the California Environmental Quality Act (CEQA) with respect to the use of a Mitigated Negative Declaration, nor does it provide adequate information regarding several aspects of the project, including whether or not an impact is considered significant under CEQA. We therefore request that the document be revised to 1) incorporate appropriate mitigation as required for a Mitigated Negative Declaration, and 2) provide additional details regarding the project that will support the conclusions of the document with respect to noise, visual quality, biological resources, and localized traffic impacts. The Board has also identified several issues addressed in the document that require further clarification. Presented below are our specific comments related to the draft EA/MND.

2

1. Inappropriate Use of a Mitigated Negative Declaration. The draft EA/MND states that when the predicted noise level approaches or exceeds the Noise Abatement Criteria, there is a traffic noise impact. Although not stated, we considered this a significant noise impact since such noise levels would exceed City of San Diego General Plan noise standards for residential uses. As no mitigation is proposed to reduce noise levels to below a level of significance for at least 219 homes in Rancho Bernardo, a Mitigated Negative Declaration cannot be approved for this project. A determination that mitigation is not economically feasible can only be used to justify project approval despite unmitigated impacts if an Environmental Impact Report and accompanying findings and statement of overriding considerations have been prepared. CEQA Section 21064.5 defines a mitigated negative declaration as "a negative declaration prepared for a

1

See General Comment # 4

2

See General Comment # 5

project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment." Further, Section 15074(b) of the CEQA Guidelines state "The decisionmaking body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis." The project has not been revised to reduce noise impacts and there is substantial evidence in the record that a significant effect will occur, therefore, until all significant impacts are mitigated a MND cannot be adopted for this project.

2. Other Noise Related Issues. The increased noise levels along the I-15 corridor following construction will adversely affect numerous neighborhoods within the Rancho Bernardo community including the western edge of Bernardo Heights, the neighborhoods of Playmoor, Bernardo Terrace, Bernardo Point, and Vista del Lago, the eastern edge of Westwood and High Country West, and the residents of Casa de las Campanas. Many of the homes to be affected are located immediately adjacent to the freeway and are particularly prone to freeway noise because of the topography. This is particularly true for the homes on the west side of the freeway between Camino del Norte and Bernardo Center Drive (High Country West) where southbound traffic climbs a significant grade and tire noise is directed up the slope to the back of the homes on Lofly Trail. There are many other similar examples between Camino del Norte and Lake Hodges, and for some of the neighborhoods, particularly the higher density neighborhoods, the noise impacts will extend beyond those residents located immediately adjacent to the freeway.

Currently, the noise levels experienced by the residents in proximity to the freeway are often so high that it is not possible to carry on a normal conversation in their backyards, or in the case of the higher density developments, in commonly shared recreational areas. By moving the travel lanes closer to the homes, and increasing the number of lanes from 8 to 14, it will obviously have acoustical ramifications, and will worsen the existing problem.

According to the MND, the predicted noise levels for many of these homes will increase by anywhere from 1 to 7 decibels. To the layman, 68 may not sound like much of a difference over 65, but we understand that these are logarithmic numbers, and that an increase of 3 decibels is an increase of 100% above a level that is already too high.

The Planning Board is not convinced that the actual and projected noise levels fully recognize the extent of the problem for a number of reasons. We are concerned that many of the noise measurements were taken during periods of significant congestion. Slow traffic would result in lower noise levels, distorting the accuracy of the projected noise levels following project completion. Additionally, it is not clear that the projected



noise levels have taken into account the future conditions of the hillside following project completion. Did the calculations take into consideration project-related earthwork that might eliminate existing bluffs and/or berms that function as natural sound barriers?

The Board is also concerned with many of the conclusions in the document, particularly those related to costs and feasibility of appropriate mitigation. The costs appear unrealistically high and we believe must be challenged. For instance, on page 83, there are two proposed sound barriers along a section of High Country West homes. The first involves a 14-foot-high, 1,312-foot-long section of wall that would benefit 14 residences. The estimated cost is \$588,000 (exceeding the allowable cost of \$266,000). The estimated cost for this section of wall is \$448 per linear foot (\$42,000 per home, where \$19,000 per home would be allowed).

3

The second is a 10-foot-high, 3,608-foot-long wall benefiting 40 residences overlooking the freeway, at a cost of \$1,678,000 (exceeding the allowable cost of \$920,000). The estimated cost of this section of wall is \$465 per linear foot (\$41,950 per home, where \$23,000 per home would be allowed). Such cost estimates appear to be inflated and completely unrealistic. We believe these costs are based on inaccurate assumptions and misinformation. Based on these examples, we request that the cost estimates for the walls required throughout the community be reevaluated and that additional information be provided to justify the estimates. It is also the Board's opinion that the number of residents that would benefit from these walls is higher than the current numbers indicate. This is particularly true in the higher density areas.

The Community has recently completed several sound wall studies for areas along Camino del Norte and Rancho Bernardo Road, and cost estimates were obtained in association with these studies. The typical range of estimates was from \$100 to \$140 per linear foot. (The Caltrans estimates are almost 4 times higher than these estimates.) Caltrans should reevaluate the current estimates, as well as explore ways to reduce the cost of the walls such as working with the affected homeowners and the homeowners associations in an effort to reach agreements for easements at no cost or reduced costs in exchange for the construction of sound walls and working to obtain permission to construct the walls closer to the homes so that construction can occur in flatter areas rather than on the slopes within the freeway right-of-way. Such agreements could result in shorter walls and would allow more flexibility in wall construction such as allowing the use of glass panels, which would preserve views, while also reducing the cost of the mitigation measure.

3. Impacts to Localize Traffic During Construction. The draft EA/MND does not adequately document the local traffic impacts that would occur as a result of construction. We are particularly concerned about increased congestion during the 9+ months that the West Bernardo Bridge will be closed. The document provides no data regarding where and how this detoured traffic would circulate through the community. The document should specifically describe how traffic volumes on Bernardo Center Drive, Rancho Bernardo Road, Pomerado Road, Escala Drive, and West Bernardo Drive would be impacted by this action. According to the traffic analysis prepared for the 4S Ranch development, even with the improvements currently being implemented at Rancho Bernardo Road and I-15, the level of service on Rancho Bernardo Road between West Bernardo Drive and Bernardo Center Drive is expected to be at Level of Service D.

4

- 3 Costs estimates come from the Office of Office Engineers and is based on historical data for the region.

To the human ear, a 10 dBA increase in noise level is associated with a 100% perceived change in the noise level, or i.e. twice as loud. And a 3 dBA increase in noise level is associated with a 23% perceived change in the noise level, or i.e. barely perceptible increase. Typically the doubling of traffic will result in a 3 dBA increase, which is barely perceptible to the human ear.

Noise measurements were conducted in accordance with the Technical Noise Supplement guidelines. Measurements were taken throughout the day and adjusted to the noisiest hour which does not typically occur during peak hour. No measurement was conducted during congested periods. The future predicted noise levels were predicted using Sound32 noise prediction model. Sound32 input parameters include future traffic volumes, traffic speeds, mix of vehicles and site geometry. Yes, the noise model did take into consideration the project- related earthwork. The projected noise levels have taken into account the future terrain conditions following project completion.

- 4 A Discussion of detour traffic issues related to the closure of the Highland Valley Road/ West Bernardo Drive structure has been expanded in Chapter 3.17. Local street traffic impacts during construction of the Highland Valley Road/ West Bernardo Drive/ Pomerado Road structure replacement have been included.

Therefore, the document must provide data to justify the statement that the improvements at the Rancho Bernardo Road interchange can accommodate the additional traffic. Further, the Rancho Bernardo Road/Bernardo Center Drive intersection is highly congested during the PM peak hours, how would this situation be worsened by the detour. Will any other construction affecting local traffic, such as bridge improvements at Bernardo Center Drive, occur while this detour is ongoing? If so, how will this further impact local traffic circulation?

The document also does not adequately address the issue of nighttime freeway closures and impacts to local roads, such as Pomerado Road, during construction. Will any freeway traffic be routed onto local streets at night to accommodate construction? If so, which streets will be affected and for how long? What actions will Caltrans take to avoid excessive traffic on parallel arterials such as Pomerado Road during construction? This is a particularly important issue in the vicinity of Pomerado Road and Highland Valley Road, where traffic already backs up into the community at peak hours, making it difficult for residents of Vista del Lago to access their neighborhood.

There is a construction staging area proposed near the I-15/Bernardo Center Drive interchange, behind Burger King. How will this staging area be accessed and when will access be required? Access issues and construction-related movement in and out of this area are significant because of the excessive congestion on Bernardo Center Drive at this location during AM peak hours, and with construction, this congestion is sure to worsen.

5

4. Visual Quality/Community Character. To be consistent with CEQA, the document must state whether the impacts associated with this project are significant or less than significant. The statement included in the document that "overall changes to community character are considered low to moderately-high" is not adequate. At a minimum, the Board believes the visual and community character impacts from this project are cumulatively significant. We appreciate the thought that has already gone into reducing the impact of concrete, sound and retaining walls, and manufactured slopes on the area's visual quality and community character, but we would also request that treatments similar to those used on I-15 to the south near University Avenue be implemented in this part of the corridor. That would include special bridge treatments such as color accents, decorative fencing and handrails, and boxed tree plantings along the bridge. These measures would further reduce the effect of massive concrete walls and bridges that will dominate the views from within and along the freeway.

The Board also requests that additional information be provided regarding the height of proposed retaining walls and cut and fill slopes within the Rancho Bernardo Community. We are particularly concerned with the visual appearance of the retaining wall to be constructed along the eastern bank of the freeway from Bernardo Center Drive to Rancho Bernardo Road. A visual simulation of this wall would be helpful. It appears that this wall may be highly visual from Webb Park, as well as other parts of the community. We would therefore like information regarding the height of the wall and the specific measures that would be taken to reduce its visibility within the community.

See expanded discussion in Chapter 3.17. Although additional traffic will be using these intersections, the level of service remains at E or better. The Highland Valley Road / West Bernardo Drive / Pomerado Road Overcrossing bridge replacement will be completed before work is begun on the replacement of Duenda Road / Bernardo Center Drive bridge replacement. The structure widening of Bernardo Center Drive Undercrossing will not affect this area, as the same number of traffic lanes will be provided during that construction.

At Bernardo Center Drive Interchange, no construction staging area is proposed near the "Burger King" Restaurant. A construction easement is proposed for an area immediately north of this restaurant, however, no construction equipment will need to access this area from private property. This easement is for construction of a soil-nail retaining wall along the freeway right of way. The easement is for the soil nails (Steel rods placed in 6" bored holes and grouted with concrete). This work is all underground and will be constructed from the freeway right of way, which is why no construction equipment needs to access the easement area itself.

5

See general comment #4

A corridor concept plan has been prepared and all walls will receive architectural treatments, as described in Section 3.16, to be consistent with the concept

Cut/Fill slope locations and quantities can be found in Appendix H: Major Cut/Fill Slopes

5. Bike Lanes on the I-15/Lake Hodges Bridge. Would bicycles be permitted on the bridge during construction if a separate pedestrian/bicycle bridge has not yet been constructed over Lake Hodges? Once freeway construction has been completed over Lake Hodges will bicycle use continue to be permitted on the shoulder even if a separate pedestrian/bicycle bridge is constructed across Lake Hodges?

6

6. Trail Undercrossing at Lake Hodges. The trail under Lake Hodges will become an important component of the Class 1 bikeway connection between Rancho Bernardo and Escondido once a separate pedestrian/bicycle bridge is constructed across the lake. How could the reduction in vertical clearance under the bridge from 12 feet to 11 feet impact bicycle and equestrian users? Does an 11-foot clearance comply with Caltrans standards for a Class 1 bikeway?

7

7. Biological Resources. The EA/MND states that impacts to wetlands will be mitigated through off site purchase and protection of wetlands currently under private ownership. How is this consistent with the "no net loss" policy of the MSCP and the resource agencies? Please indicate where wetland creation/restoration will occur to mitigate for permanent impacts to wetlands as a result of this project.

How will the long term protection of lands purchased for habitat mitigation be assured? Will a management plan be developed for these mitigation lands? Who will be responsible for management, and will funds be provided to support these future management efforts?

Surveys for least Bell's vireo were conducted prior to the extensive growth of willows within the construction corridor in the vicinity of Lake Hodges. What additional measures will be required to avoid impacts to this endangered species during bridge construction? Will construction be timed to avoid the nesting season?

The current I-15/Lake Hodges bridge blocks any opportunities for east/west wildlife movement when Lake Hodges is full. Considering the significance of the San Dieguito River drainage as a wildlife corridor, what steps are being taken to ensure adequate opportunities for wildlife movement under the new freeway bridge when the water level in the lake is high?

Finally, there is a significant area of native vegetation located on the south side of Bernardo Center Drive, just west of I-15. The current plans indicate that this habitat will be impacted during construction. In discussions with Caltrans staff on November 14, it appears that these impacts will not occur. The loss of this habitat would be significant for both biological and aesthetic reasons; therefore, to avoid any inadvertent impacts to this resource, Figure 2-17 should be changed to delete any reference to impacts in this area.

8

8. 2+2 HOV Alternative. The decision to delete from further consideration the alternative to construct two dedicated HOV lanes in each direction, rather than constructing managed lanes, should be explained in greater detail. The current discussion in the EA/MND lacks specificity and as such does not provide adequate detail for the public to fully understand Caltrans' decision to delete this alternative from further consideration. It would seem that implementation of this alternative would be less costly and might also

6

The reduction in vertical clearance from 12 feet to 11 feet is acceptable. 11 feet is still above the minimum and desirable vertical clearances for bicycles on Class I bikeways. HDM 1003.1 (2) states that the vertical clearance to obstructions across the clear width of the path shall be a minimum of 2.5 m (8.2 ft). Where practical, a vertical clearance of 3 m (9.8 ft) is desirable. The Highway Design Manual standard for equestrian undercrossings is found in HDM 208.7 (Must be 3 m high and 3 m wide). 11 feet exceeds the standard.

7

All impacts to wetland within Caltrans right of way and within the City's MHPA will be consistent with the mitigation ratios referenced in the City's Biology Guidelines for wetland habitats. No properties to fully mitigate the project's wetland impacts were identified immediately adjacent to the I-15 corridor. Caltrans, however, is currently discussing with the City of San Diego to determine the feasibility of doing wetland creation/restoration/enhancement work at Los Penasquitos Creek within the Los Penasquitos Canyon Preserve. An exhibit representing the site as well as a description will be included in the Final MND.

Avoidance and minimization measures will be described in Chapter 3 as to how the proposed design minimizes wetland impacts to the maximum extent possible. For example, two new bridges will be built at both Lake Hodges and Green Valley Creek instead of the original proposal of widening/retrofit of the existing bridges thus reducing the permanent impacts to wetlands.

Section 3.12.3 Measures to Minimize Harm in the final MND will be revised to minimize all direct and indirect impact to the least Bell's vireo and southwestern willow flycatcher.

A wildlife corridor will be added to the bridge design for Lake Hodges on both the south and north sides of the bridge. This proposed corridor would be above 311 feet msl, which will be the maintained water level of the lake. A complete description of the proposed design as well as an exhibit will be included in the Final MND.

The coastal sage scrub habitat located on the south side of Bernardo Center Drive, just west of I-15 will not be impacted by the proposed project. Figure 2-17 in the Final MND will be revised to reflect no impacts in this area.

8

The 2+2 HOV Alternative does not meet the purpose and need for the project as extensive traffic queues would extend up to 11 kilometers (7 miles) beyond the limits of the project in year 2020. The reason for this is that the 2 HOV lanes would be over capacity during peak hours with buses and carpoolers. This would require a carpool definition change to 3+ people in a vehicle in order to keep the HOV lanes at LOS D. This level of service is required for the Bus Rapid Transit System to operate a reliable system. This carpool definition change would increase the volume on the main lanes by 1,000 VPH or more, creating substantially more congestion.

reduce the need for some of retaining walls along the corridor. Please explain why the directional split demand is 55-60/40-45 in the peak direction within the main travel lanes, but 70/30 in the HOV lanes. Why wouldn't the directional split demand be the same in both the main travel lanes and the HOV lanes?

8


9. Value Pricing Program. The description in the EA/MND regarding this program implies that additional signage and other visually intrusive facilities would be installed in the corridor if this program were approved. We would like the opportunity to review the environmental documentation that will be prepared for this program before it is approved so that we might have the opportunity to comment on the potential visual impacts that could occur as a result of implementing this program.

9

10. Nonstandard Mandatory and Advisory Design Features. There is a long list of design exceptions that will be required in order to implement this project, however, no information is provided regarding the extent to which these exceptions would exceed current standards, nor is there any information related to any potential safety issues associated with these exceptions. This is of particular concern with respect to off-sets, lengths, and angles of onramps merging into the main lanes. Please provide additional information regarding how decisions related to design exceptions are made and how safety is factored into these decisions.

The Board wants to see this project proceed, but we also want to be certain that all of the details regarding the project have been fully disclosed and that none of our residents and homeowners are burdened with unreasonable permanent impacts as a result of this project. We look forward to working with you to resolve and/or further explore the issues outlined above, particularly the noise and local traffic issues that will have a profound affect on this community's quality of life.

Sincerely,



Kathy Kechan, Planning Board Chair

cc: Larry Carr, Caltrans, District 11  
Jeff Lewis, Federal Highway Administration  
Councilmember Brian Maienschein, District 5, City of San Diego

8

Regarding the comment on why the directional split is higher on the Managed Lanes compared to the main lanes; the regional transportation model assigns HOV and transit trips based on several factors. The two most important factors are the time differential between driving alone and HOV and transit trips and if the facility has preferential treatment for HOV and transit trips. The 70/30 directional split for HOV trips on I-15 is caused by the magnitude of congestion in the peak direction. This leads to the travel time for HOV trips being superior to drive alone trips in the peak direction with the Managed Lane project because of the preferential treatment. In the reverse peak direction there is less congestion and so much less time savings for HOV trips as compared to drive alone trips.

9

A report has been prepared for each category of Design Exceptions, Mandatory and Advisory. These reports document in greater detail why each exception is necessary. These reports are available to review. The approval process for these exceptions ensures that a proper balance is maintained between excessive cost for right of way and construction and additional community disruption with the geometric standards of the facility. Safety of the travelling public is a primary issue in these reports and nothing is proposed in this project that is considered unsafe.



November 22, 2002

Mr. Larry Carr, Project Manager  
I-15 Managed Lanes Project  
Caltrans District 11  
P.O. Box 85406  
San Diego, California 92186-5406

Subject: I-15 Managed Lanes Project  
Comments on Draft Environmental Document

Dear Mr. Carr:

Attached for your use and response is the list of comments/suggestions for this project as viewed by the City of Escondido.

The City of Escondido appreciates this opportunity to comment on the Draft Environmental Assessment/Initial Study (EA/IS) and Mitigated Negative Declaration (MND) for this project. Your willingness to partner with us on this regionally significant project is important. The existing I-15 corridor through Escondido experiences many hours each day of severe congestion. Everyone using this facility fully appreciate and support the need to increase its capacity, but many do not understand the impacts that will occur during this expansion.

If you have any questions on our comments or would like to meet on this project, I would recommend you call Ronald W. Anderson, City Engineer, or Patrick Thomas, Director of Public Works at (760) 839-4651.

Sincerely,

Lori Holt-Pfeiler  
Mayor

cc: Patrick Thomas, Director of Public Works  
Ronald Anderson, Assistant Director of Public Works  
Ed Domingue, Principal Engineer/CIP  
Scott Schedell, Engineer II

Lori Holt Pfeiler, Mayor  
June Rady, Mayor Pro Tem  
Tom D'Agostia  
Ed Gallo  
Marie Waldron

## MIDDLE SEGMENT

### 1. TRAFFIC ISSUES

- A. The Environmental Document states that there will be no reduction in the number of lanes during construction in the peak hours. Even though there will be no reduction in lanes, traffic will be slowed because of drivers observing construction. It is suggested that the Environmental Document address the benefits of installing temporary screening at bottleneck locations during construction.
- B. It is likely that traffic will divert to Beethoven Drive to cross the del Lago Bridge during constructing of the Via Rancho Parkway Bridge. Beethoven Drive westerly of Via Rancho Parkway is a private road and use can and probably would be restricted by North County Faire. (the City leases the land to North County Faire) It is suggested that the Environmental Document address traffic impacts if Beethoven Drive is closed during construction of the Via Rancho Parkway Bridge.
- C. During the commute, the Lake Hodges Bridge is unable to handle the southbound traffic. Since three new structures will be built at Lake Hodges and construction for each structure will take 10 to 12 months, this area will be under construction for 30 to 36 months. The City believes the Environmental Document needs to address the effects of a 30 to 36 month construction period on traffic in this area. Other mitigation methods such as re-stripping the southbound Lake Hodges Bridge for 5 lanes should be evaluated. Bicycle traffic could be diverted to a temporary structure or banned during construction. (If the new San Dieguito River Authority Bike/Pedestrian Bridge is completed bike traffic will not be an obstacle to re-stripping the bridge for 5 lanes) The fifth lane could be continued south by re-stripping the existing lanes and utilizing the existing shoulder. The use of the shoulder would end at the existing fifth lane just north of the Duenda Road over crossing. Although use of the shoulder would preclude its use for emergency stops, there are areas to the right of the shoulder where disabled vehicles could stop. Disabled vehicles could also be removed by patrolling tow trucks. Other sections of the Environmental Document discuss having tow trucks patrolling sections or freeway to remove disabled vehicles where there is insufficient shoulder.

### 2. SOUND WALLS

- A. How is protocol allowance determined? It is not clear in the Environmental Document how this allowance is determined. The City believes the majority of citizens will simply divide the protocol allowance by the number of houses benefited to derive the amount Caltrans is willing to spend to reduce the noise impact to a particular house. This gives the appearance of discrimination when the unit cost for a house in Rancho Bernardo is higher than the unit cost for a house in Escondido

**1** The traffic analysis (using year 2005) shows that about 325 additional vehicles in the peak hour will use Citracado Parkway (from Centre City Parkway) to access the freeway during the closure of the Southbound Centre City Parkway ramp. In terms of ADT this portion of Citracado Parkway would increase from 5900 to 9000 during this time. While this is about a 53% increase in traffic volume, the two-lane road could handle this amount of traffic for a limited time. Driveways would remain open and would be accessed similar to existing conditions. Temporary noise impacts would be in the range of one to two decibels, amounts that are hardly discernable by the human ear.

The Department will consider all appropriate measures as detailed design studies get underway.

**2** The traffic detour plans assume, as you noted, that some traffic will use Beethoven Drive / Del Lago Boulevard as an alternative to Via Rancho Parkway when that structure is under construction. To ensure that this traffic can use this private road during construction, a temporary access easement is being acquired from North County Faire

**3** Traffic impacts as a result of construction staging sequences and detours have been evaluated as part of the DIS/EA, and all potential significant impacts addressed. The addition of a fifth lane in the southbound direction at Lake Hodges will be considered, as introducing an additional lane into the construction workzone could further raise safety concerns for construction personnel. Additionally, it may conflict with temporary bike access across Lake Hodges, as well as worsen an already deteriorated level of service in the corridor. As detailed design studies get underway the Department will continue to consider all possible strategies to help minimize traffic impacts during construction.

### 3. ENVIRONMENTAL ISSUES

- A. The Environmental Document does not correctly address construction staging of the Lake Hodges Bridge. A new structure is to be constructed east of the existing bridge. Even if this new structure is within existing right of way, there will be a disturbance of habitat in Lake Hodges and to the north and south of Lake Hodges where current freeway lanes are transitioned to the new structure.
- B. The Environmental Document only mentions the Multiple Species Conservation Program. (MSCP) All portions of the project within the City limits are in the planning area for the Multiple Habitat Conservation Program (MHCP) Further discussion of the effects on the program and the City's Subarea Plan are warranted.
- C. The Bernardo Mountain property was recently purchased by the San Diegouito River Park Joint Powers Authority for permanent open space conservation and the development application to subdivide the property has been withdrawn.
- D. The Environmental Document should document how much Coastal Sage Scrub (CSS) is proposed for removal within each jurisdiction. Further, the document should clarify whether the proposed CSS removal in Escondido will count towards the City's 5% allocation of allowable CSS removal under the Interim 4d process. The City has already authorized removal or initiated applications for removal of its entire 5% allocation under the interim process and does not anticipate implementation of its MHCP Subarea Plan until late 2003. To date, the City has not tracked CSS removal for Caltrans projects (such as the park and ride facility on Del Lago Boulevard) as part of the City's 5% allocation under the assumption that Caltrans is responsible for permitting and mitigating projects within its right of way.

### 4. VISUAL ISSUES

- A. It appears that the retaining walls generally visible only to people in cars on the freeway will have no relief or decorative features. Conversely, it appears that retaining walls visible to people in cars (and people in structures) not on the freeway, will have decorative features. Since there will be a significant number of motorists observing the retaining walls while traveling the freeway, the City believes some consideration should be made for the aesthetic appearance of the retaining walls to people traveling the freeway. The cost would be minimal, but the aesthetic value would be greatly improved and appreciated.

4 For each noise barrier, a base allowance of \$17,000 per benefited residence is considered. If applicable, this base allowance may be enhanced by the following five reasonableness factors: Absolute Noise Levels (predicted future levels without barrier); Build vs. Existing Noise Levels (future vs. existing levels); Absolute Noise Reduction (barrier effectiveness); New Construction or Predate 1978 (age of residences- \$10,000 is added for residences built in or prior to 1978 ); Total Noise Abatement Allowance vs. Project Cost (to determine if the barrier costs are less than 50% of the total project cost). Once all of these five components are added to the \$17,000 base amount, then the overall allowance per benefited residence is obtained. This number is then compared with the actual construction cost of the barrier per benefited residence. If the allowance is more than or equal the actual construction cost, then the barrier is considered. This approach is applicable throughout the state regardless of which city or community the barrier is proposed for.

5 The construction staging of the Lake Hodges Bridge in the DIS/EA has been revised to reflect current plans.

6 All areas north of Lake Hodges, where Interstate 15 bisects the City of Escondido are within the planning area for the MHCP and the City of Escondido's Subarea Plan. A regional exhibit showing the project's relationship to the MHCP will be added to the final document. In addition, Chapter Three, Section 3.12.3 and the appropriate Biological Resources sections will be revised to include a discussion of the MHCP and the City's Subarea Plan.

7 Comment Noted

8 The California Department of Transportation is not a signatory to the MHCP; therefore, "take" authorization is delegated by the USFWS and CDFG by the Section 7 process. The portion of the I-15 Managed Lanes project that falls within the MHCP, falls within the City of Escondido Subarea Plan. Caltrans, San Diego Gas & Electric and other agencies that administer property or easements within the area encompassed by this subarea plan are responsible for their own permit needs and are not covered by the plan (Draft Escondido SubArea Plan, June 2001). Therefore, Caltrans is exempt from the City's Interim 4d process.

9 Chapter 3.16.3 describes aesthetic treatments that will be used to mitigate visual impacts within the corridor.

## NORTH SEGMENT

### 1. TRAFFIC ISSUES

10

A. When the southbound Centre City Parkway on ramp is closed for construction, traffic will divert to Citracado Parkway to access the freeway. The Environmental Document does not address the impacts to Citracado Parkway. Citracado Parkway has inadequate sight distance and capacity to handle the diverting traffic. Issues such as noise and residents being affected in their inability to get in and out of their driveways during rush hour need to be addressed. If the Centre City Parkway onramp is to be closed, Caltrans must improve Citracado Parkway from Centre City Parkway to the I-15 on ramp. Improving Citracado Parkway will require an environment review that is not addressed in this document.

10

Caltrans would restore the pavement condition of Citracado Parkway to pre-detour conditions after the Centre City Parkway ramp is opened.





November 20, 2002

Charles "Muggs" Stoll  
Deputy District Director  
District 11, Environmental Division  
California Department of Transportation  
2829 Juan Street, M.S. 46  
P.O. Box 85406  
San Diego, CA 92186-5406

NOV 22 2002  
12:00 PM

Dear Mr. Stoll,

The San Diego County Bicycle Coalition staff has read the I-15 Managed Lanes Project Mitigated Negative Declaration and found some items of concern.

- 1) What exact disruptions to bicycle traffic will occur during the construction phase of this project? The document alludes to the fact that detours may be necessary for the Mira Mesa bike path, and that the north Lake Hodges undercrossing may be closed for a period of days. Have these decisions been finalized, and if so, what provisions have been made to ensure that bicycle traffic will not be impacted during construction?
- 2) The discussion of the re-construction of the Lake Hodges bridge seems to assume that bicycle traffic will be able to use the not-yet-constructed Lake Hodges bike and ped bridge between Rancho Bernardo and Escondido as a detour. Since the bike and ped bridge construction does not yet have all the necessary permits and engineering, it seems premature to assume the it will be open for traffic in time to accommodate a bicycle detour. We ask that Caltrans develop an alternative that does not rely on an un-built structure to provide bicycle access across Lake Hodges. The optimum alternative for bicyclists would be to retain shoulder access across Lake Hodges both during construction and after the managed lanes project is complete.

Thank you for your attention to these matters.

Sincerely,

*Kathy Keehan*  
Kathy Keehan  
Executive Director

San Diego County Bicycle Coalition  
P.O. Box 34544 San Diego CA 92163  
(858) 487-6063  
www.sdcbc.org

L29

1 The final details have not been fully worked out to my knowledge yet but non-motorized travel shall be accommodated during construction. We are mandated to do this as per Deputy Directive 64 and the Streets and Highways Code Section 888. Of particular note is Article 3.5, Section 157 which says that "The Department shall not construct a State Highway as a freeway that will result in the severance or destruction of an existing major route for nonmotorized transportation traffic and light motorcycles, unless it provides a reasonable, safe, and convenient alternative or such a route exists". Any disruption to current bicycle facilities and access that occur that cannot be accommodated on the current facility will be accommodated by signed detours and those detours will be planned in conjunction with the bicycle community and announcements will be made in advance to the bicycle community as to when they should use the detours.

2 The Lake Hodges Bike/Ped Bridge may not be completed in time for the construction phase of Caltrans managed lane and bridge widening project. We realize this and must plan for this possibility. If the bridge is not complete by the time we go to construction bicycles should be accommodated on the shoulders as there is no alternative route. Also retaining shoulder access post construction for bicycles has still been not ruled out. With the Department's new commitment to non-motorized travel and providing travel choices & options we should fully consider retaining non-motorized access on the bridge. Also an analysis using the Highway Design Manual Chapter 1000 Guidelines of Bicycle Use of Freeway Shoulders shall be performed to examine grade, out of direction travel time, vehicle conflicts, etc. before any decision to close the current freeway shoulders that are open to bicycle travel will be made.



THE CITY OF SAN DIEGO

November 21, 2002

Mr. Charles Stoll  
Deputy District Director  
Department of Transportation, District 11  
P.O. Box 85406, MS 46  
San Diego, CA 92186-5406

Dear Mr. Stoll:

Subject: Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration (MND) for the Interstate 15 Managed Lanes Project (EA# 064800)

As a responsible agency, the City of San Diego appreciates the opportunity to review and comment on the above-referenced document for this significant improvement proposal for Interstate 15 (I-15). This proposal includes the construction of four managed lanes, a moveable barrier system, auxiliary lanes, and added lanes along I-15, extending from State Route 163 in the City of San Diego to State Route 78 in the City of Escondido. The total length of this project would encompass twenty two miles. The following comments are a compilation of comments received from reviewing staff of both the City of San Diego's Development Services Department and Planning Department.

**Land Use**

1

According to the MND for I-15, there would be a series of sound walls erected along I-15 to mitigate for vehicle generated noise impacts on adjacent properties. These sound walls would vary in length and height depending on the amount of noise attenuation required. Both a land use and visual analysis of these sound walls proposed along I-15 presented in Chapter Three was based on questions within the Environmental Significance Checklist (CEQA) (Appendix A), which the City of San Diego believes have not been adequately answered. In particular, No. 31 states, "Will the project directly or indirectly be inconsistent with any elements of adopted community plans, policies or goals?" The answer was "no." Also, No. 50 states, "Will the project directly or indirectly affect any scenic resources or result in the obstruction of any scenic vista or view open to the public, or creation of an aesthetically offensive site open to public view?" The answer was yes, but not significant.

2

To the contrary, it is quite evident in Key View No's. 1 and 4A of the visual simulations, that obstruction of both public and private views would be significant. The obstruction of public views shown in Key View No. 4A from drivers on I-15 to the west over Los Penasquitos Canyon Preserve would be significant and unmitigated, both directly and cumulatively.



**Development Services**

1222 First Avenue, MS 501 • San Diego, CA 92101-4155  
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1 The questions within the Environmental Significance Checklist (CEQA)(Appendix A) were answered based on the information found within each of the community plans. Typically, community plans do not speak specifically to freeway construction, however, it is still the Department's view that the questions are answered accurately based on the information found in the plans.

2 The adverse impacts of the noise barriers depicted in Key Views 1 and 4a are predicted to be less than significant according to Federal criteria contained in the Visual Technical Study. In the case of Key View 4a, existing views of Penasquitos Canyon do not occur at this location. The southbound freeway traveler is afforded a short duration distant view to the west from Penasquitos Canyon bridge. (As with the response on visual quality, can it be stated herein that the view will remain available with the normal cone of vision for an average person traveling freeway speeds, prior to reaching the start of the proposed wall?)As the traveler continues south of the bridge in the area of the proposed noise wall, intervening topography and residential development obscure distant views as shown in existing Key View 4a. The proposed key view depicts typical views from the freeway within the limits of the proposed noise wall. Existing distant views to the west would remain.

3

There should be a discussion within the Land Use section on the urban design compatibility of this project with the affected long range Community Plans. For example, the visual impact as simulated in Key No. 4A is inconsistent with the Urban Design Guidelines in the *Ranch Penasquitos Community Plan* which states under Compatibility with Existing Development, "The design of any new construction should respect existing development with regard to preservation of views from public rights-of-way where possible, and compatibility of scale, bulk, architectural styles, building materials, color and landscaping." Also, under Building Design/Shadow Relief it states, "Large unbroken expanses of wall should usually be avoided." The project as proposed would be inconsistent with these community plan guidelines and would not be mitigated to below a level of significance. This inconsistency would carry over, as well, with the guidelines of other community plans for the communities of Scripps Miramar Ranch, Miramar Ranch North, Mira Mesa, Sabre Springs, Carmel Mountain Ranch and Rancho Bernardo.

4

Moreover, in Section 3.1 Land Use, subsection 3.1.2 Impacts, the last paragraph states, "The project still remains consistent with the general plans although some of the noise walls proposed as part of the project will be higher than the standard wall heights specified for use on private property according to the communities and cities building codes." Again, this project is inconsistent with adopted City of San Diego regulations as well as with community plan documents which should be addressed in the environmental document as such.

#### **Land Use - Multi-Habitat Planning Area (MHPA)**

5

The project would cross the City of San Diego's MHPA boundary in two main locations; Los Penasquitos Canyon (Figure 2-10) and Lake Hodges (Figure 2-21). The City has concerns regarding the project's direct and indirect impacts to these areas and others. The "Project Features Maps" in Chapter Two should be revised to include the City's MHPA boundaries where applicable (e.g., Figures 2-10, 2-19, 2-20, 2-21, and 2-22). A regional graphic showing the project's relationship to the City's MHPA should be included in the document as well. Additionally, Chapter Three, Section 3.12.3 should include an analysis of the project's compliance with the City's Multiple Species Conservation Program (MSCP) Land Use Adjacency Guidelines (construction and operational noise, lighting, toxics, landscaping and drainage) for those areas near the MHPA. Without this information and adequate measures to address direct and indirect impacts to the City's MHPA, the City believes that the project, as currently proposed, would have a significant effect on the environment.

6

Figure 2-20 shows the limits of project grading extending beyond the existing right-of-way and into portions of the City's MHPA and Open Space. If encroachment into the City's MHPA is proposed, a MHPA boundary line adjustment should be processed with the City and wildlife agencies. Encroachment into the City's MHPA requires offsetting the impact areas with functionally equivalent habitat consistent with the criteria set forth in the Final MSCP Plan

3

Community plans do not typically speak to freeway construction. However, in several cases, the plans recommend a break between the freeway facility and residential developments to reduce noise and visual impacts. One example of this is in the Rancho Bernardo Community Plan which states, "Housing located along segments of Interstate 15 should be separated from the adverse effects of freeway traffic by horizontal and vertical breaks, as well as through site planning, landscaping, construction techniques, air conditioning and interior design." Since these breaks and design techniques were not incorporated into the residential developments, the Department is left with fewer options when considering noise abatement and aesthetic treatments.

Only one of the 6 proposed walls is located on private property. This wall would extend approximately 300 meters along the east side of I-15 between Camino del Norte and Bernardo Center Drive. While the Department is not bound by local codes, we strive for compatibility with local ordinances and guidelines. In this instance a 3.05 meter wall is needed to achieve a 5 dba noise reduction. All wall heights are subject to final design and specific details could change.

Chapter 3.16.3 Measures to Minimize Harm illustrates that we are incorporating architectural detailing on all structures where feasible and vegetation wherever possible to reduce impacts that are associated with new walls.

4

The Visual Technical Study cites relevant urban design guidelines from communities located in the corridor and factors those guidelines into predictions of viewer sensitivity, which in turn is a criterion in assessing project impacts. Although not specifically identified in the City's General Plan or individual Community Plans, mitigation requirements for noise walls and other project features are consistent with community plan policies.

5

The proposed Managed Lanes project will cross the City of San Diego's MHPA boundary in three main locations: Los Penasquitos Canyon (Figure 2-10), Green Valley Creek Bridge (Figures 2-19 and 2-20) and Lake Hodges (Figures 2-20 and 2-21). All Projects Features Maps will be revised in the final document to depict the City's MHPA boundaries where applicable. In addition, a regional graphic will be added to the final document to show the project's relationship to the City's Multiple Species Conservation Program (MSCP) and MHPA areas. Chapter Three, Section 3.12.3 and the appropriate Biological Resources sections will be revised to include an analysis of the project's compliance with the City's MSCP Land Use Adjacency Guidelines (construction and operational noise, lighting, toxics, landscaping and drainage) for those areas near and within the MHPA.

(August 1998), Section 5.4.2, which includes vegetation communities, sensitive species locations, preserve design, and wildlife movement. The City recommends, however, that the limits of project grading be revised to avoid encroachment into the MHPA. Also, if encroachment into City open space is proposed, an encroachment and removal agreement would be required.

#### **Visual Quality**

- 7 Overall, the visual analysis presented in Chapter Three of this document does not realistically assess the potential visual impacts that could be created through implementation of the proposed project. This analysis should be expanded to provide accurate visual simulations of each sound wall proposed along I-15 from various angles and all sides. The simulations should show freeway driver views of each wall as well as views of these walls from adjacent communities looking towards I-15, both east and west. Also, Key No. 4A should be expanded include a 180 degree view analysis of what the I-15 driver would see viewing west towards Los Penasquitos Canyon Preserve, instead of just southwest. Together with the visual simulation, there should be an in depth impact analysis/discussion of the public views that would be permanently lost with the erection of these walls, a comparison of wall bulk and scale in relation to surrounding residential neighborhoods, all tunnel effects that may be created with long and unbroken wall planes, and the potential negative aesthetic effects these walls would create in the communities of Mira Mesa, Rancho Penasquitos, Rancho Bernardo and the Via Rancho Parkway/I-15 area.

Within the Measures to Minimize Harm section for visual quality, the mitigation measures for impacts should explore the most nonobtrusive forms of sound walls that are in combination with berming and wall/berm tiering which are not evident in the "proposed view" wall simulations for "most" of the key views. The mitigation measures should also include a maintenance schedule for the proposed landscaping and an anti-graffiti program. It should be stated, however, that even with incorporation of these mitigation measures, cumulative impacts to visual quality with the erection of these sound walls would occur and which would not be fully mitigated to a level below significance.

#### **Biological Resources**

- 8 The potential impacts to biological resources from the proposed project are not adequately addressed within the draft environmental document. Impacts to biological resources should be covered in an inclusive section in Chapter Three as was done for the Land Use discussion. The discussions regarding wetlands, threatened and endangered species and wildlife should be included as subsections within this section. Additional information regarding impacts on sensitive habitats should be quantified and addressed.

- 6 The proposed Managed Lanes project will cross the City of San Diego's MHPA boundary in three main locations: Los Penasquitos Canyon (Figure 2-10), Green Valley Creek Bridge (Figures 2-19 and 2-20) and Lake Hodges (Figures 2-20 and 2-21). The type of habitat impacted within the City of San Diego's MHPA will be added to the Final MND. I-15 is a circulation element roadway that is considered a compatible use in the MHPA and therefore, provided impacts are minimized, no boundary line adjustment is required. The proposed grading is intended to visually enhance that segment of freeway (providing an earthen berm for landscaping) and provide noise attenuation for the adjacent park. The benefit-cost of this proposal will be re-examined during final design. In addition, per the letter provided to CalTrans by the City dated December 18, 2002, it has been determined that the City has no development permitting authority over this project.

All impacts to sensitive habitats within Caltrans right of way and the City's MHPA, including coastal sage scrub and wetlands will be mitigated for consistent with the City of San Diego's Final MSCP Plan and Biology Guidelines (provided by the City of San Diego). Further descriptions of proposed mitigation for impacts to sensitive habitats will be added to Chapter 3 Affected Environment, Environmental Consequences, and Measures to Minimize Harm, 3.9 Wetlands and Waters of the U.S., 3.10 Wildlife and 3.12 Threatened and Endangered Species. All mitigation ratios will be consistent with the ratios referenced for sensitive habitats in the City's Biology Guidelines.

Caltrans acknowledges that an encroachment and removal agreement would be required from the City should project grading extend into the MHPA. The proposed grading was intended to visually enhance that segment of freeway (providing an earthen berm for landscaping) and provide noise attenuation for the adjacent park. The benefit-cost of this proposal will be re-examined during final design.

- 7 The Visual Technical Study describes the Federal method used to depict and assess project impacts. Because it is not feasible to analyze all the views in which the proposed project would be seen, it is necessary to select a number of key viewpoints that would most clearly represent the visual effects of the project. Key views are also required to be normative. Key View 4a is oriented within the normal cone of vision for an average person traveling at freeway speed in the location of the project feature being analyzed. A key view of the same wall from the adjacent residential community was not included because the visual impacts would not be sufficiently adverse to warrant a detailed analysis. Key Views 1 and 4a are shown with proposed walls that are not mitigated because specific designs for these areas have not yet been developed. The visual mitigation section of the DMND (section 3.16.3) contains a number of mitigation options that apply to a variety of site conditions. One or more of those options will be implemented in the final designs to mitigate adverse impacts to acceptable levels.

Tunnel effects should not occur on the project because there are no locations in which sound walls run parallel on both sides of the freeway. Noise barriers are currently not proposed in the Via Rancho Parkway/Escondido area.

9

On the Project Features Maps, areas of open space do not have the habitat included within the open space identified. For example, in Figure 2-21, the area of Lake Hodges does not show the wetlands associated with this area. The figures should be modified to accurately define these habitats in the vicinity of the proposed project. Additionally, the Project Features Maps should show the impacts to all sensitive habitats that would occur as a result of the project. The discussion in Section 3.9, Wetlands and Waters of the United States, discusses impacts to wetlands in the Lake Hodges Area. These impacts should be shown on Figure 2-21 in the same manner that impacts to coastal sage scrub are shown. All the figures should be updated accordingly to address these impacts.

10

Section 3.9, Wetlands and Waters of the United States, should provide detail on the type of wetlands that would be impacted, such as a riparian habitat, freshwater marsh, natural flood channel, etc. The City of San Diego has established different mitigation ratios based on the type of wetland impacted. The City of San Diego Biological Review References (July 2002) should be reviewed, and mitigation for impacts to wetlands or any sensitive biological resource within the City of San Diego should be consistent with these guidelines. A copy of the references is attached for your use. Also, Table 3-8 indicates that temporary/permanent wetland and waters impacts (acres) would occur in several areas of the project alignment, including Lake Hodges, Green Valley Creek and Los Penasquitos Creek. In total, 4.94 acres of temporary wetlands and waters impacts, 1.0 acres of permanent wetland impacts and 1.48 acres of permanent waters impacts would occur. All wetlands impacts should be shown on the respective "Project Features Maps" in Chapter Two supported by a detailed discussion as to why there is no feasible method of avoidance and how the proposed design minimizes wetland impacts to the maximum extent possible. A discussion of which Nationwide Permit (NWP) the project would pursue and how it qualifies should also be disclosed in the environmental document. It appears that the appropriate reissued NWP for this project would be NWP 14 (Linear Transportation Projects), which limits impacts to non-tidal areas to ½ acre. Currently, the project proposes to exceed this threshold.

11

Impacts to sensitive upland habitats are not adequately covered within the MND. These impacts should be evaluated and addressed in the MND. The MND states that impacts to Coastal Sage Scrub will be mitigated through the purchase of land in southeast San Diego County. Impacts to sensitive habitats within the City of San Diego should be mitigated for within the City itself. These mitigation measures should be detailed and should be consistent with the attached biological references. Section 3.12, Threatened and Endangered Species, should contain a discussion of the potential for Narrow Endemic Species to occur within the project area and any impacts to these species. The list of Narrow Endemic Species can be located in the City of San Diego Biological Review References.

8

Impacts to biological resources will be analyzed as three separate sections in the Final MND to include wetlands, threatened and endangered species, and wildlife. All of the above mentioned sections will be revised to include a more detailed description and analysis of both direct and indirect impacts. Please note that all technical study reports have been incorporated by reference.

9

Project Features maps will be updated to accurately delineate impacts to sensitive resources, including upland habitats and species that are adjacent to the project. Specifically, Figure 2-21 will be updated to correctly depict Lake Hodges as Open Water/Reservoir. The San Diego County Water Authority (SDCWA) is proposing to construct the Lake Hodges Inlet/Outlet project as an element of its Emergency Water Storage Project (ESP). Water levels at Lake Hodges will be maintained year round at 311 feet mean sea level (msl) by filling or withdrawing water through the proposed inlet/outlet. Maintaining the water at this elevation will inundate all riparian vegetation that currently exists within the lakebed. Construction of the Inlet/Outlet project is planned for 2004/2005. Construction of the Managed Lanes Project at Lake Hodges bridge will begin in early 2004; therefore, coinciding with the SDCWA's project.

Depicting all wetland impacts on each Project Features map is not feasible due to the separation of permanent versus temporary impacts. All impacts to each separate watercourse will be described in text and table format in Section 3.9 Wetlands and Waters of the U.S.

10

Section 3.9 Wetlands and Waters of the United States will be revised to include descriptions of each type of wetland to be impacted (with acreages), such as riparian habitat, freshwater marsh, natural flood channel, etc. in addition to type of impact (temporary vs. permanent). A table will also be provided that quantifies impacts to both U.S. Army of Corps of Engineers jurisdictional areas (both "water's of the U.S." and wetlands) and California Department of Fish and Game jurisdictional areas.

All impacts to wetland within the Department's right of way and within the City's MHPA will be consistent with the mitigation ratios referenced in the City's Biology Guidelines for wetland habitats. No properties to fully mitigate the project's wetland impacts were identified immediately adjacent to the I-15 corridor. The Department has entered discussions with the City of San Diego regarding the feasibility of doing wetland creation/restoration/enhancement work at Los Penasquitos Creek within the Los Penasquitos Canyon Preserve as described in section 3.9.3.

Avoidance and minimization measures will also be described in Chapter 3 as to how the proposed design minimizes wetland impacts to the maximum extent possible. For example, two new bridges will be built at both Lake Hodges and Green Valley Creek instead of the original proposal of widening/retrofit of the existing bridges. Widening/retrofit would cause a greater area of impact at each of the bents underneath the bridges. Constructing a new bridge eliminates the larger footprint, especially within Lake Hodges, thus reducing the permanent impacts to wetlands.

#### **Threatened and Endangered Species**

- 12** The proposed Measures to Minimize Harm described in Section 3.12.3 only addresses noise impacts from pile driving at Lake Hodges on the least Bell's vireo. The City recommends that all construction-related activities that have a potential to indirectly impact the vireo be limited to outside their breeding season (March 15 to September 15). Restrictions on construction-related activities should also be implemented for the California gnatcatcher (March 1 to August 15), where located within the City's MHPA (e.g., Figures 2-10, 2-20 and 2-21) in the Lake Hodges area. Measure for impacts to raptors within the City's MHPA should be included as well. Without such measures incorporated into the proposed project, the City feels that the project would have a potentially significant impact on MSCP covered, listed and sensitive species.

Section 3.12.3 also identifies the Bonita Meadows site (231 acres) near Proctor Valley in the County as mitigation for project-related biological impacts, because of its regional importance to gnatcatcher populations. The City recommends that mitigation for biological impacts within the limits of the City of San Diego, especially mitigation for those areas encroaching into the City's MHPA, open space or required easements, occur within the City limits.

#### **Water Quality**

- 13** The proposed project would have potential impacts on five bodies of water that either directly or indirectly flow into the City of San Diego. These bodies include Carroll Canyon Creek, Los Penasquitos Creek, Chicas Creek, Green Valley Creek and Lake Hodges. As discussed in Chapter Three, the project has the potential for creating construction and operational-related water quality impacts to these waterbodies and downstream habitats. The environmental document should describe in as much detail as possible, with supporting graphics, the construction and post-construction Best Management Practices (BMPs) that are proposed to minimize water quality impacts under the Storm Water Management Plan (SWMP) for this project. Also, the document should identify the agency (Caltrans) who would be responsible for maintaining the post-construction BMPs.

#### **Parks and Recreation**

- 14** On page 57 of the draft document, it states that lighting would be installed under the Lake Hodges bridge to help eliminate tunnel effects and to improve safety underneath the proposed structure. The City's perspective on the proposed lighting is that if it is not properly designed, it would result in a significant effect on wildlife movement. The proposed design and effects of this lighting on wildlife movement under the bridge should be fully analyzed in the environmental document.

Each creek crossing of a separate water of the U.S. within the proposed project footprint would be considered a "single and complete project" as defined at 33 CFR 330.2(I). Permanent impacts to wetlands at each waterbody crossed is less than the threshold of 0.50 acre; therefore, each crossing meets the qualifications for a separate Nationwide Permit.

- 11** A description and analysis of impacts to sensitive upland habitats including coastal sage scrub can be found in the Natural Environment Study (NES), "California Department of Transportation Interstate 15 Corridor, Marine Corps Air Station Miramar to the City of Escondido, San Diego County, California," dated September 30, 2000. Impacts to coastal sage scrub (CSS) are quantified in Section 3.12 of the Draft MND. The NES is appended by reference in the IS/EA and MND. A more detailed description and analysis of sensitive upland habitats will be brought forward into Section 3.12.1 Affected Environment under Section 3.12 Threatened and Endangered Species.

All mitigation for impacts to CSS and the gnatcatcher were developed in coordination with the USFWS as outlined in the Biological Opinion dated May 8, 2001 and included in the Draft MND as Appendix B. Mitigation for impacts to CSS was required at a 2:1 ratio which is consistent with the City's Biology Guidelines for impacts to upland habitats (Tier II) both within the City's MHPA and outside the MHPA. In addition, Bonita Meadows lies within the County of San Diego and the eastern portion of the site falls within the MHPA.

Section 3.12, Threatened and Endangered Species of the Final MND will be revised to incorporate a separate discussion on the potential of Narrow Endemic Species to occur within the project area and any impacts to these species. All of the species listed as Narrow Endemic Species within the City's Biology Guidelines were listed by either the Service or the California Natural Diversity Database (CNDDDB) as having the potential to occur within the project limits and were included in surveys conducted by the consultant in 1999.

All mitigation for impacts to CSS and the gnatcatcher were developed in coordination with the USFWS as outlined in the Biological Opinion dated May 8, 2001 and included in the Draft MND as Appendix B. Mitigation for impacts to CSS was required at a 2:1 ratio which is consistent with the City's Biology Guidelines for impacts to upland habitats (Tier II) both within the City's MHPA and outside the MHPA. In addition, Bonita Meadows lies within the County of San Diego and the eastern portion of the site falls within the MHPA.

Section 3.12, Threatened and Endangered Species of the Final MND will be revised to incorporate a separate discussion on the potential of Narrow Endemic Species to occur within the project area and any impacts to these species. All of the species listed as Narrow Endemic Species within the City's Biology Guidelines were listed by either the Service or the California Natural Diversity Database (CNDDDB) as having the potential to occur within the project limits and were included in surveys conducted by the consultant in 1999.

Page 6  
Mr. Charles Stoll  
November 21, 2002

**Cumulative Impacts**

15

The City of San Diego believes that there would be adverse cumulative impacts to visual quality, as discussed above, which would not be mitigated to below a level of significance and which is not identified in Chapter Four of the draft document. This would be created by the erection of sound walls along sections of I-15 that would result in a permanent loss of public views that are so important to the character and quality of life of the affected communities. Overall, the City believes that because of the cumulative impacts to visual quality and the regional scope of this twenty-two mile long project, that a Joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is required for the project proposal, pursuant to NEPA and CEQA, respectively. The EIS/EIR should adequately examine reasonable, feasible options for mitigating or avoiding the project's contribution to this significant cumulative effect, which has not been done in this MND.

16

Again, the City appreciates the opportunity to review this document and wishes to be on the distribution list for all subsequent project documents. Should you have any questions on the above, please contact, Anne Lowry, Senior Planner, at (619) 557-7982. For questions specific to the City's MHPA, please contact Jeanne Krosch, Senior Planner, at (619) 236-6545.

Sincerely,



Lawrence C. Monserrate, Environmental Review Manager  
Assistant Deputy Director  
Development Services Department

LCM/ael

Attachments: Biological References

cc: Bob Manis, Long Range Planning  
Terri Bumgardner, Environmental Analysis Section  
Michael Van Buskirk, Environmental Analysis Section  
Jeanne Krosch, MSCP  
Randy Rodriguez, MSCP  
Ann French Gonsalves, Transportation Development  
Labib Qasem, Transportation Development

12 Section 3.12.3 Measures to Minimize Harm will be revised to minimize all direct and indirect impact to the least Bell's vireo, coastal California gnatcatcher and breeding raptors

13 The Department will make the necessary modifications to the environmental document and add the necessary supporting exhibits to further describe the construction and post-construction Best Management Practices (BMPs) discussed in section 3.8.3 "Measures to Minimize Harm" of the MND. In addition, all of the proposed post-construction BMPs will be clearly identified on the "Project Feature Maps" of the MND.

14 Lighting that currently exists underneath the Lake Hodges Bridge consists of low, foot level lights that are directed at the hiking and riding trail. Any future design would be consistent to what currently exists underneath the bridge. In addition, lights will be proposed to run on timers, which would shut them off at a predetermined time, eliminating any potential indirect impacts to wildlife movement underneath the bridge. The proposed design of the lights and their potential effects on wildlife movement will be further addressed in Section 3.10 Wildlife in the Final MND.

15 Approximately 1.6 miles of view from the freeway would be obstructed by proposed noise walls. That means that over 92 percent of the project would not experience any of the potential adverse visual impacts that could be caused by noise walls. This condition would not result in significant cumulative effects according to our guidance in preparing visual assessments.

16 Refer to General Comment #3.

# SCRIPPS RANCH PLANNING GROUP

November 21, 2002

## Via Email and Regular Mail

Mr. David Nagy  
Associate Environmental Planner, MS 46  
Caltrans  
P.O. Box 85406  
San Diego, CA 92186-5406

**Re: Draft Initial Study/Environmental Assessment and Proposed Mitigated  
Negative Declaration for Interstate 15 Managed Lanes Project  
PM 10.7-31.8 (KP M18.3-50.7)**

Dear Mr. Nagy:

The Scripps Ranch Planning Group (SRPG) has reviewed the Draft Initial Study for the Interstate 15 Managed Lanes Project that proposes to improve freeway capacity and transit opportunities by enhancing both the freeway and high occupancy vehicles (HOV) facilities. SRPG continues to support the need to better handle the current and future traffic needs between San Diego and Escondido. To that end, we are submitting the following observations and comments to be addressed in your environmental analysis.

1

Why are the proposed managed lanes ("Zipper Lanes") limited to either a "2+2" or "3+1" configuration and not able to be used in a "4-0" configuration?

2

Please evaluate moving Metropolitan Transit Development Board's (MTDB) Bus Rapid Transit Center (BRTC) from Hillery Drive to the currently undeveloped site immediately north of Mira Mesa Blvd. The environmental review should consider moving the BRTC for the following reasons:

1. Ensures HOV and SOV access from both the east and west;
2. Reduces traffic into Mira Mesa from Scripps Ranch to access the proposed Hillery Drive flyover;
3. Greater potential for mass transit usage;
4. Retain consistency with smart growth principles;
5. Improves pedestrian and bicycle access by tying into current bike route parallel to Interstate 15 connecting Mira Mesa and Scripps Ranch to Miramar Ranch, Rancho Penasquitos Reserve, Poway and Sabre Springs;
6. Reduction of traffic away from Mira Mesa Blvd on-ramps/off-ramps;
7. Avoidance of additional traffic impacts to Black Mountain and Hillery Drive;

1

The Transit Station is an independent action being pursued by MTDB. For further discussions regarding this transit station location MTDB should be contacted directly.

2

The Managed Lanes would operate in either a 2+2 or 3+1 lane configuration based on traffic demand. A 4+0 lane configuration would only be used in extreme emergencies for the following reasons:

1. One lane is needed for the reverse commute direction for expected traffic demand and to provide a reliable Bus Rapid Transit System.
2. A 4+0 lane configuration would require the closure of all entry points in the opposite direction. This would need to be accomplished by maintenance or emergency vehicles and personnel placing cones, signs, etc.

The Hillery Drive Direct Access Ramp will be a separate project. The issues mentioned will be addressed in a separate environmental clearance process for that project.



8. Better service to the communities of Scripps Ranch, Miramar Ranch North, Rancho Encantata, the remaining Future Urbanizing Area, Sabre Springs, East Miramar and Alliant International University;
9. Assist in accessing residential areas with employment centers and recreational areas;
10. Provide emergency use in case of fire (i.e. Pomerado Road closed due to 2002 brush fire); and
11. Could solve future traffic issues.

3 What is the basis for the statement on page 38 that market demand will encourage development of additional commercial facilities?

4 The sound and retaining walls required for noise abatement would impact community character, as it will shift appearances from suburban to urban. SRPG strongly urges using considerably more landscaping through the use of trees to minimize the impacts and to preserve the suburban character.

5 On page 64, it appears that only the west side of Interstate 15 was evaluated for noise receptors wherein the Scripps Ranch High School was not listed as such. The growing high school should have been evaluated as a sensitive noise receptor. The San Diego Unified School District approved a Master Plan for that requires the development of the West Treena Mesa site. The SRHS Master Plan has been attached for your review. Ahrens Field is immediately north the West Treena Mesa site and is also being considered by the community as a potential park. Both sites are adjacent to Interstate 15 and if evaluated, the sites would have been found to be negatively impacted.

6 Figure 3-24 lists recreation areas as having a NAC of 67 (exterior). The existing levels nearest the high school (as found on page 92) range from 64-72. Appendix E of the SRHS Master Plan shows a 65 CNEL that dissects the West Treena Mesa site. Any increases in noise could eliminate future use of the site by SRHS and the community. The projected level range in the Managed Lane environmental study is 68 to 75, which exceeds the NAC of 67. The draft initial study found that 12 of 14 modeled receptors on the west side of this segment approached or exceeded the NAC. As such, abatement measures should therefore also be reasonable and feasible. It would be expected that a proposed abatement measure (sound wall) would reduce the predicted noise level at least 5 dBA or more. Feasibility of constructing abatement would not be affected by the absence of physical constraints such as topography, driveways, ramps, cross-streets, other noise sources, or safety concerns. It would be expected that a noise abatement measure would be reasonable based on community acceptance, cost, abatement benefits, and other social, economic, environmental, legal, and technological factors.

7 Table 2-1 is incorrect regarding Segment number 2 in that 9889 Erma Road is located on the east side of 15.

8 Please update Figure 1-2A to correctly show a sixth lane will be added between Miramar Way & Pomerado Road/Miramar Road O/C.

3 This information came directly from the Scripps Miramar Ranch Community Plan, Page 20, Section D, Number 2.

4 The walls shown in figures 3-10 through 3-17 were created to determine potential impacts that would be created by the walls. All walls within the corridor would be subject to all feasible visual mitigation measures as described in Chapter 3.16.3

5 Since the Noise Study, this area was reassessed and it was determined that there would be no impact due to the project. Due to the distance of this school from the facility and topography within the area the noise measurement indicates that no impact would occur. Noise measurements were taken approximately 150 meters west of the school in an existing dirt parking lot and obtained a measurement of 65 decibels.

6 The receptors that are referenced are located on the opposite side of the freeway from the school. The topography at these two locations is not similar and can not be compared. Refer to comment #5 regarding specific noise measurements at this location.

7 Thank you, this error has been corrected.

8 Figure 1-2A is meant to show existing lane configurations and, as such, should not show this lane addition.

Mr. David Nagy  
Caltrans  
September 5, 2002  
Page 3 of 3

**9** Please verify that a second lane to be added to the northbound Pomerado Road/Miramar Road off-ramp

**10** Figure 1-4A does not clearly show that the Intermediate Access Point for Pomerado Road/Miramar Road may not function effectively as proposed due to inability to exit managed lanes and merge safely to the off ramp. On page 20, the IAP for Pomerado Road/Miramar Road does not seem to be listed.

**11** In regards to barriers discussed on page 16, will paving the dirt road along SR 163 to the South Control Yard complicate or eliminate any future expansion of either SR 163, Interstate 15, East Miramar access or Kearny Villa Road?

**12** Please confirm that the Pomerado Road/Miramar Road O/C will be replaced and widened to accommodate a "flow through lane" westbound Pomerado Road to southbound Interstate 15 on ramp.

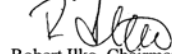
**13** SRPG requests the evaluation of possibly relocating the southbound Miramar Road off ramp to connect directly with Kearny Road. It is belived by redirecting this off ramp to the existing street then the back up on Interstate 15 southbound getting off to this ramp will be significantly reduced.

**14** As for anticipated disruptions listed on page 47, Scripps Ranch used to be completely served by Fire Station 37 but the coverage area was recently split when Fire Station 44 on Black Mountain was finished. The replacement of the Carroll Canyon O/C may impact the response time for emergency fire service to Scripps Ranch.

**15** On pages 140 through 142, the Pomerado Road/Miramar Road O/C and Carroll Canyon Road O/C'S were not discussed. Please clarify how detours would be feasible given the traffic volume and limited alternative access to Interstate 15.

In conclusion, SRPG recommends that Caltrans fully evaluate the comments made above and incorporate appropriate changes to the final environmental document.

Sincerely



Robert Ilko, Chairman  
Scripps Ranch Planning Group

Cc: City of San Diego Councilman Brian Maienschein  
MTDB  
Mr. Larry Carr, Caltrans (via email)

**9** The northbound off-ramp to Miramar Road / Pomerado Road will be a two-lane exit from the freeway lanes.

**10** Figure 1-4A has been revised to correctly show all Intermediate Access Points. The locations have been modified and one has been added to allow access from Mira Mesa / Scripps Ranch areas without the use of a Direct Access Ramp. If a Direct Access Ramp is located in the future, these Intermediate Access Ramp locations would likely need to be modified.

**11** Paving the dirt road along SR-163 will not affect future expansion of SR-163, I-15, East Miramar access or Kearny Villa Road.

**12** The Miramar Road / Pomerado Road Overcrossing structure will be replaced and widened to allow three through westbound lanes and one westbound auxiliary lane that exits to the southbound loop on-ramp. Currently this structure has only two westbound through lanes and one westbound auxiliary lane that exits to the southbound loop on-ramp.

**13** The relocation of the southbound Miramar Road off-ramp to connect directly to Kearny Villa Road is outside the scope of this project. This problem would best be addressed as a separate project. It should be noted that adding a third westbound through lane will improve the ramp intersection AM level of service from F to E in year 2020. This will lead to reduced queuing on the off-ramp.

**14** Once Miramar Road/ Pomerado Road structure is completed, Carroll Canyon Road Overcrossing will be replaced one half at a time. This structure will only accommodate one lane in each direction. In order to keep traffic operating at the Carroll Canyon Road Interchange, all left turns from / to the ramps will be prohibited. Through traffic will actually be improved on Carroll Canyon Road during this construction so emergency vehicle response times will not be diminished.

**15** Discussion of detour traffic issues related to the replacement of Miramar Road/ Pomerado Road and Carroll Canyon Road Overcrossing structures has been included in text and is included in Appendix D.

November 15, 2002

Charles "Muggs" Stoll  
Deputy District Director  
District 11, Environmental Division  
California Department of Transportation  
2829 Juan Street, M.S. 46  
P.O. Box 85406  
San Diego, CA 92186-5406

Re: Comments on Interstate 15 Managed Lanes Project, DIS/EA October 2002

Dear Mr. Stoll:

1

As citizens of the Allegra Community on Kika Court, immediately adjacent and west of I-15, north of Scripps Poway/Mercy Road, we are very pleased to read that as part of the I-15 Managed Lane Project, our community is eligible for a sound wall as described on page 81 of the aforementioned document. The attached petitions from the community demonstrate the support of the proposed sound wall construction. The number of benefited residents would be extremely high, as the Allegra community consists of 113 single-family homes, not to mention the existing high-density apartment communities to the immediate north and south of our development.

2

It has been indicated that construction of such a sound wall may not occur for 5-10 years after project improvements have been implemented and traffic noise has steadily increased. As our community is currently impacted by increasing noise levels due to adjacent construction and development etc., and the Managed Lane Project will incrementally add to this, we would like to discuss how we can help facilitate construction of such a wall as soon as possible. In addition, as this project will significantly add to or exacerbate an existing adverse condition with respect to noise, an argument can certainly be made that a DIS/EA is not an appropriate document for such a project and that a more appropriate document such as an EIR/EIS should be prepared. Project mitigation should be implemented promptly or an additional significant or adverse impact may occur.

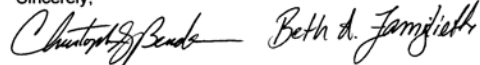
3

Larry Carr of Caltrans has indicated that he may be able to have a temporary concrete barrier constructed to ease noise impacts to our development in the interim. If the temporary barrier is the only option, this gesture is appreciated, however our community desires a more appropriate sound wall before project construction begins. Please let us know what the best way to begin a dialogue with you would be. Constant communication during project development will benefit all of us.

4

Thank you and I look forward to hearing from you.

Sincerely,



Christopher G. Bender  
Beth A. Famiglietti  
9843 Kika Court  
San Diego, CA 92129

1

Comment Noted

2

The noise barrier is scheduled to be built at the same time or before the project improvements are completed and will be in place to abate the projected project-related noise increases.

3

The mitigated ND/FONSI is reserved for projects that have impacts that are not significant after mitigation. The Department uses the judgment and knowledge of the interdisciplinary project development team (PDT) based on the concepts of context and intensity (NEPA) and setting (CEQA) to determine the nature of impacts. With the support of specialists and the completed technical studies, the PDT concluded that all project related impacts could be minimized based upon context and intensity and that a ND/FONSI was the appropriate level document for the project. Numerous measures to minimize impacts are identified and planned as outlined in Chapter 3: Affected Environment, Environmental Consequences, and Measures to Minimize Harm and in Appendix F: Mitigation Monitoring and Reporting Record. The Department continues to support the decision that an ND/FONSI is the appropriate level document for the proposed project.

4












Building the noise barrier as part of the operational improvement project (bridge widening/addition of an auxiliary lane) under EA 2326U\_ has been looked into; however the limits of work under this EA only cover part of the noise barrier. Building only a part of the barrier would be ineffective and not reasonable for inclusion in the operational project.

Budget/scope allowing, the project under EA 2326U\_ may consider replacing the metal beam guard rail that extends from the south end of the bridge rail on the Los Penasquitos Creek bridge, on the west side of the freeway (the same side where the Allegra Community is located), to the Mercy Road off ramp with a concrete barrier. This project feature would provide some noise abatement along that section of the operational improvement project.

Support of Soundwall Construction on I-15 for the Caltrans "Managed Lane Project"  
in the Allegra Community (Kika Court) of Rancho Penasquitos in San Diego, CA

Dear Caltrans:


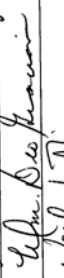





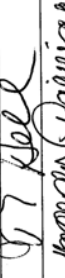


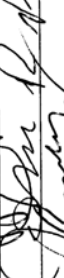



We live in the Allegra community (Kika Court), in between I-15 and Mercy Road. As you are aware, our community, which consists of 113 single-family homes, has passed the Caltrans initial reasonable criteria for possible noise wall construction for the "Managed Lane Project". The following signatures have been collected to demonstrate the desire for sound wall construction in between I-15 and the Allegra Community. Thank you.

Name (please print)	Address	Signature	Date
Kene Perry	10041 Kika Court San Diego, CA 92129		10/30/02
Heather Sadleir	10004 Kika Court San Diego, CA 92129		10/30/02
Yuleman	10033 Kika Court San Diego, CA 92129	YEN LE TRAN	10/30/02
	10013 Kika Court San Diego, CA 92129	Mike Romig	10/30/02
Robt. K. Anthony	10004 Kika Court San Diego, CA 92129		10/30/02
Jennifer Quislet	11015 Kika Court San Diego, CA 92129		10/30/02
Kelli Strobl	11023 Kika Court San Diego, CA 92129		10/30/02
Alexander Sullivan	11039 Kika Court San Diego, CA 92129	Bulboack Alexander	10/30/02
Laura Birman	11043 Kika Court San Diego, CA 92129	Laura Birman	10/30/02
Debra Wood	11047 Kika Court San Diego, CA 92129		10/30/02
Nam Tran	10005 Kika Court San Diego, CA 92129		10/30/02
STEVE POMIAK	10001 Kika Court San Diego, CA 92129		10/30/02
Michael Sullivan	11002 Kika Court San Diego, CA 92129		10/30/02
CHRISTIE WONG	11014 Kika Court San Diego, CA 92129		10/30/02

Dear Caltrans:

Support of Soundwall Construction on I-15 for the Caltrans "Managed Lane Project"  
in the Allegra Community (Kika Court) of Rancho Penasquitos in San Diego, CA

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Name (please print)	Address	Signature	Date
Scott & Allison McClay	11005 Kika Court San Diego, CA 92129		10/25/02
Bill & Libby DeGiacinis	9717 Kika Court San Diego, CA 92129		10/25/02
Neel and Segun Timis	9723 Kika Court San Diego, CA 92129		10/26/02
Beth & Mike Byrd	9733 Kika Court San Diego, CA 92129		10/26/02
Beth Chung	11003 Kika Court San Diego, CA 92129		10/26/02
Young Kim	11013 Kika Court San Diego, CA 92129		10/26/02
Yvette Herrera	11014 Kika Court San Diego, CA 92129		10/26/02
Roy Bell	11045 Kika Court San Diego, CA 92129		10/26/02
Brad & Randy Maciejewski	11044 Kika Court San Diego, CA 92129		10/26/02
Rebecca Joy & Wanda	11051 Kika Court San Diego, CA 92129		10/26/02
JOHN & GAYLE PASTOR	11057 Kika Court San Diego, CA 92129		10/26/02
Brenda Ogden	9721 Kika Court San Diego, CA 92129		11/16/02
KIM TRAN	11041 Kika Court San Diego, CA 92129		11/16/02
JAMES & CHONDA SHADLE	11031 Kika Court San Diego, CA 92129		11/17/02

**Dear Caltrans:**

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Name (please print)	Address	Signature	Date
Allen & Kirsten Teendler	92337 Kika Court San Diego, CA 92129	<i>Allen</i>	10/28/02
Christopher & Beth Bender	9843 Kika Court San Diego, CA 92129	<i>Beth Janyz Bender</i>	10/28/02
Dwight & Catlyn Carlson	9837 Kika Court San Diego, CA 92129	<i>Catlyn Carlson</i>	10/25/02
John & Silvia Potter	9845 Kika Court San Diego, CA 92129	<i>John Potter</i>	10/26/02
Ranvier & Nina LaParsen	7809 Kika Court San Diego, CA 92129	<i>Ranvier LaParsen</i>	10/26/02
Renato & Aurelia Ramis	7749 Kika Court San Diego, CA 92129	<i>Aurelia Ramis</i>	10/26/02
Hoa Thien Tran	9915 Kika Court San Diego, CA 92129	<i>Hoa Tran</i>	10/26/02
Keith Linseman	9911 Kika Court San Diego, CA 92129	<i>KL</i>	10/26/02
Stacy Griffin	9705 Kika Court San Diego, CA 92129	<i>Stacy Griffin</i>	10/25/02
Atousa Monjazeb	9877 Kika Court San Diego, CA 92129	<i>Atousa Monjazeb</i>	10/30/02
David Applestein	9853 Kika Court San Diego, CA 92129	<i>David Applestein</i>	10/30/02
Enrique Bautista	9923 Kika Court San Diego, CA 92129	<i>Enrique Bautista</i>	10/30/02
Maria Valinski	9919 Kika Court San Diego, CA 92129	<i>Maria Valinski</i>	10/30/02
Stephane Phommavong	9933 Kika Court San Diego, CA 92129	<i>Stephane Phommavong</i>	10/13/02

**Dear Caltrans:**



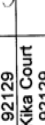
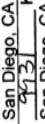
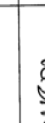


Support of Soundwall Construction on I-15 for the Caltrans "Managed Lane Project" in the Allegra Community (Kika Court) of Rancho Penasquitos in San Diego, CA

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[illegible]


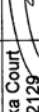
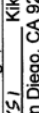

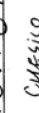
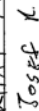




**Dear Caltrans:**

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Name (please print)	Address	Signature	Date
Seang Chau	10023 Kika Court San Diego, CA 92129		11/18/02
Maurien McPherson	4131 Kika Court San Diego, CA 92129		11/18/02
Susan Edwards	4139 Kika Court San Diego, CA 92129		11/18/02
Sebastian Capella	9913 Kika Court San Diego, CA 92129		11/18/02
Tony Sanyamurath	9921 Kika Court San Diego, CA 92129		11/18/02
Ruben Confection	2417 Kika Court San Diego, CA 92129		11/18/02
Mark Smith	4409 Kika Court San Diego, CA 92129		11/18/02
	San Diego, CA 92129		1/1
	Kika Court		1/1
	San Diego, CA 92129		1/1
	Kika Court		1/1
	San Diego, CA 92129		1/1
	Kika Court		1/1
	San Diego, CA 92129		1/1
	Kika Court		1/1
	San Diego, CA 92129		1/1
	Kika Court		1/1

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Name (please print)	Address	Signature	Date
KHA NGUYEN	9241 Kika Court San Diego, CA 92129		3/11/02
JOSEF A. CRESIO	9251 Kika Court San Diego, CA 92129		11/31/02
GENEY CHAN	9277 Kika Court San Diego, CA 92129		11/12/02
Timothy Head	17017 Kika Court San Diego, CA 92129		11/14/02
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1
	San Diego, CA 92129		1/1

----- Forwarded by Olga Estrada/D11/Caltrans/CAGov on 11/22/2002 02:49 PM -----



"Gene Strocchio"  
<gs3@gs3.com>

11/22/2002 02:36 PM

To: <Olga\_Gonzalez-Estrada@dot.ca.gov>  
cc:

Subject: Proposed I-15 Managed Lanes Project

Subject: I-15 Managed Lane Project

To whom it may concern,

I am a new homeowner in the Westwood neighborhood of Rancho Bernardo.

Specifically, I reside on Valladares Drive, which runs along the west side the I-15.

I have just been informed of the proposed I-15 Managed Lanes project and the extensive construction that will be part of this project for a number of years.

I have not received any public notification or information from Caltrans about the project. I have read a recent Union-Tribune article and a letter delivered to me yesterday by a concerned neighbor.

1 I am extremely upset and concerned about the negative impacts such a project will have on the environment, our peace and tranquility and our property values. I was especially disappointed to read that Caltrans decided they "could not justify the cost of a sound barrier" even though Caltrans plans to work on the project 24 hours a day.

2 I believe Caltrans has a legal and moral obligation to design and build the project with the least negative impacts on the community and to mitigate those impacts whenever possible.

3 It appears that the design and construction of this project will have a severely and negative impact on the community.

Therefore, I request, the following information:

1) The project Environmental Impact Report. Including any conducted by Caltrans on the negative environmental impact on my neighborhood, specifically those residing on Valladares Drive.

4 2) Planning and scheduling information such as what specific construction will be commenced and in what location (i.e., what side of the I-15 will be worked on, the work hours planned, etc.).

5 3) Any public flyers or neighborhood information pamphlets previously drafted and delivered by Caltrans and the dates delivered

Caltrans must be aware that if this project continues without substantial mitigation measures, the citizens affected may be forced to take legal action to protect the community.

Respectfully,

Gene Strocchio III

Homeowner  
18108 Valladares Drive  
San Diego, CA. 92127  
619-987-7700

1 Refer to General Comment #1 regarding property values

2 As discussed in the draft IS/EA in Table 3-6, receptor 1195-2, located at 18107 Valladares has an existing noise level of 61 dBA and a future predicted noise level of 63 dBA. The future predicted noise level does not approach or exceed the Noise Abatement Criteria thus no traffic noise impacts occur and no abatement is considered per 23 CFR 772 and Caltrans Noise Protocol

3 Please refer to Section 3.17 – "Construction Impacts", and Appendix D of the IS/EA for a discussion on "Construction Staging and Detours", "Impacts", and "Measures to Minimize Harm"

4 All information requested is available via the web by going to <http://www.dot.ca.gov/dist11/> and following the links for the Interstate 15 Managed Lanes. The information is also available at numerous public libraries, or can be viewed by visiting the District 11 office. In addition, copies are available for purchase at the district office.

5 During construction, the community will be informed of upcoming events through various public notification strategies. Including brochures and mailers, media releases, paid advertising, public information centers, public meetings, telephone hotline and a project web page.



Rec'd Caltrans Lobby

DATE 11/22/02

TIME 2:55 ☐

Tina Robinson  
7943 Artesian Road  
San Diego, CA 92127

November 22, 2002

Charles "Muggs" Stoll  
Caltrans, District 11  
P.O. Box 85406 M.S. 46  
San Diego, CA 92186-5406

Dear Mr. Stoll:

While I certainly understand the need for the I-15 Managed Lanes project, I am disappointed in the quality and content of the environmental document for the following reasons:

1 The scope and scale of the project makes a fair argument that the document should be an EIR/EIS for the following reasons:

2 There are significant, unmitigable growth inducing effects per CEQA Guidelines Section 15126.2 (d) regarding the removing of an obstacle to growth. The growth in the north county is substantial, ties improvements to I-15 and would be less attractive without the construction of the project.

3 There are potential significant effects to park resources that were not addressed in the document or under Section 4(f) of the US Dept. of Transportation Act.

4 There are significant noise and visual impacts associated with park resources at the San Dieguito River Park Sikes Adobe. These constitute a constructive or indirect impact on the park resource. Additionally, there are temporary construction easements that directly impact public land used for recreation. (City owned within JPA jurisdiction used for trail and fishing and birding etc.)

Please explain why the document did not address the following issues and either explain why it didn't or rectify the inadequacy in the final document.

Why were there not visual simulations from the Sikes Adobe of the proposed retaining wall and project proximity? There's lots of simulations shown for the motorist.

Why is the Coast to Crest Trail never properly identified – it's either shown as bike and pedestrian or as hiking and equestrian but never identified as the 55- mile multi use trail that is central to the San Dieguito River Park.

5 Why is such an important trail's overhead clearance lowered? – it wouldn't be safe for equestrians.

6 Why is there no list of references? It is clear that although there was coordination with the San Dieguito River Park JPA that the San Dieguito River Park Concept Plan and the Sikes Adobe Restoration Plan were never reviewed or included in the planning process. Caltrans has done a good job dealing with the temporary trail closures but never addressed the JPA concerns about the permanent effects of the project – tunnel effect,

L30

1 Please see General comment #3

2 Please see genetal comment #4

3 See response #1 on letter to San Dieguito River Park regarding

4 See letter from San Dieguito River Valley Conservancy regarding Sikes Adobe and temporary uses of parkland

5 The existing vertical clearance will be maintained with the replacement of the existing bridges with some adjustments to the bike trail. Section 3.4.2 has been updated to reflect this.

6 A list of references has been added

The tunnel effect was addressed in the DMND section 3.4.3



noise and visual. This must be rectified through a Section 4(f) analysis and appropriate mitigation.

7

Additionally, had the Concept Plan been reviewed, it would have been clear that one of the prime goals of the San Dieguito River Park is the preservation and restoration of habitat. This is ignored in the MND/EA. Lake Hodges is recognized as a Globally Important Bird Area by the Audubon Society and within the MSCP habitat protection area, yet mitigation is proposed in a completely different corridor at least 50 miles removed. All impacts in the area supporting the birds within this corridor should be mitigated within the same wildlife corridor. This is especially important at Lake Hodges because there are significant cumulative impacts to this important corridor (identified on page 12/22 of the Biological Opinion), particularly once the San Diego County Emergency Water Storage Project fills Lake Hodges and keeps it full.

Because the bridge is so low at Lake Hodges there is little opportunity for wildlife to travel across the freeway – this will be compounded with the increased width. Since the bridges have to be reconstructed anyway, the significant cumulative effects should be mitigated by raising the bridges and extending the length of the bridges to allow free wildlife movement both north and south of the lake. This would mitigate impacts to this major east/west wildlife corridor and core gnatcatcher population and continue the linkage to the preserves east and west of I-15.

Additionally, impacts to riparian vegetation should be mitigated within the corridor. There are properties located to the west that would provide suitable habitat.

8

Additionally, the MND/EA did not adequately address the temporary bridge closure impacts on public services. There is no evidence of coordination with the Poway or San Diego Unified School Districts regarding transportation routes or with the San Diego Fire Department regarding emergency response times. How can the potential to public services be checked off as "no impact" when not justified? Also, the intersection at Rancho Bernardo Road and West Bernardo Road has been rebuilt but now there is only one right turn lane heading north from westbound Rancho Bernardo Road. Could you provide an intersection analysis that shows how this turn movement would be impacted by the bridge closure? At a minimum, the Duenda bridge crossing improvements should be staged at a different time from the Pomorodo Road bridge closure. Most of the residents west of I-15 must cross the freeway for medical and grocery shopping and the intersections are very congested at peak hour.

Thank you for your attention to these comments.

Sincerely,



Tina Robinson

cc: Jeff Lewis, FHWA  
Harold Peeks, FHWA

7

The MND identifies Bonita Meadows near Proctor Valley in the County of San Diego as mitigation for impacts to coastal sage scrub and the gnatcatcher. Bonita Meadows was purchased by Caltrans under the terms and conditions of the non-jeopardy Biological Opinion to offset cumulative impacts to CSS and the gnatcatcher. Bonita Meadows and its natural resources were identified as "at risk" to development. This parcel of land was purchased based on discussions with Federal Highways, the United States Fish and Wildlife Service (Service) and the California Department of Fish and Game (DFG). Bonita Meadows is located within the County of San Diego and the MSCP limits, and the eastern portion of the property falls within the MHPA, specifically, the County of San Diego, Pre-approved Mitigation Area (PAMA).

Bonita Meadows serves as mitigation for cumulative impacts to CSS and the gnatcatcher, but only mitigates for a portion of the impacts caused by the proposed project. The remaining mitigation for CSS and the gnatcatcher was compensated for by the purchase of three parcels near Lake Hodges, referred to as the Walsh Property. The Walsh Property contains a total of 81 acres of CSS, supporting nine pairs plus three individuals of gnatcatchers for a total of 12 territories. In addition, cactus wren (*Campylorhynchus brunneicapillus*) were observed within the cholla-dominated CSS of the Walsh Property. Although this parcel is outside of the City's boundaries, it is immediately adjacent to the San Dieguito River Valley Park's recently acquired Bernardo Mountain parcel and the City's MHPA conserved area that surrounds Lake Hodges. A description and an exhibit of the Walsh Property will be added to Section 3.12.3 Measures to Minimize Harm under Section 3.12 Threatened and Endangered Species.

All mitigation for impacts to CSS and the gnatcatcher were developed in coordination with the USFWS as outlined in the Biological Opinion dated May 8, 2001 and included in the Draft MND as Appendix B. Mitigation for impacts to CSS was required at a 2:1 ratio which is consistent with the City's Biology Guidelines for impacts to upland habitats (Tier II) both within the City's MHPA and outside the MHPA. In addition, Bonita Meadows lies within the County of San Diego and the eastern portion of the site falls within the MHPA.

See letter from Conservation Biology Institute regarding wildlife movement

No properties to fully mitigate for the project's wetland impacts were identified immediately adjacent the I-15 corridor. The Department, however, has an agreement with the City of San Diego to determine the feasibility of doing wetland creation/restoration/enhancement work at Los Penasquitos Creek within the Los Penasquitos Canyon Preserve (see attached letter). This site is downstream of the I-15 crossing where project impacts to Los Penasquitos Creek would occur.

8

Text has been added to address the intersection of Rancho Bernardo Road and West Bernardo Road during the closure of Highland Valley Road structure for construction. The one right turn lane from westbound to northbound is able to handle the traffic because that movement overlaps with the southbound to eastbound left turn movement.

Regarding the staging of the Duenda Road / West Bernardo Drive Overcrossing structure, text has been added to clarify that this replacement will occur after the Highland Valley Road / West Bernardo Road Overcrossing Structure is completed.

## Comments

October 20, 2002

**Subject:** I-15 Managed Lanes Project

**Ref:** Draft Initial Study/Environment Assessment  
And Proposed Mitigated Negative Declaration

**Area of Concern:** Segment 7: Carmel Mountain Road to  
Camino Del Norte (pages 82 and 83)

**From:** Concerned Residents (names and signatures included)

**To:** Mr. Larry Carr, Caltrans  
P. O. Box 85406, San Diego, CA 92186-5406

Dear Mr. Carr,

1

It is very exciting to see Caltrans comprehensive plans proposing the much needed improvements along I-15 by presenting the initial 400 plus pages "I-15 Managed Lanes Project" and other related documents. These comprehensive documents include a great deal of data and information regarding different aspects of project, many charts, figures, and tables. And this has been somewhat difficult to study, digest, and respond to in timely manner by the public. However, we appreciate the opportunity to review these documents and submit our comments.

Although this comprehensive project is a great solution for improving the congested I-15, however, it brings with it noticeable environmental impact concerns effecting many residents who already live alongside I-15 and have to endure the exiting high level of freeway noise (around 71 dBA as studies indicate). Which in fact, after completion of this project, additional cars that are going to be using it at higher speeds will contribute to its ever increasing noise levels.

2

As concerned residents, we believe that by expressing our concerns and ideas we can help Caltrans to develop the optimum design for keeping the noise levels within acceptable range in accordance with Title 23 Code of Federal Regulations part 772 (23 CFR 772) and NAC (5 dBA reduction) by introducing feasible and reasonable noise barriers, while expanding I-15 by additional of 4 or more lanes.

1

Comment noted

2

A 16' high barrier was considered along the right of way and was found to feasibly abate the noise for Receptor 150 and not for R151 or R1151. A barrier along the right of way is less effective as the homes are located above the freeway in this location. The most effective location for the sound barrier is along the property line of the impacted residences.

Rec'd California Lobby

DATE NOV 22 2002

TIME 8:45

OK

517 Fourth Avenue, Suite 103  
San Diego, California 92101  
Telephone: 619.233.7366  
Direct Line: 619.233.7388  
Facsimile: 619.233.7390  
Cellular: 619.985.4785  
cindy@eldredlaw.com

VIA HAND-DELIVERY

November 22, 2002

California Department of Transportation  
Attn: David Nagy, Associate Environmental Planner  
2829 Juan Street-Old Town, MS.46  
San Diego, CA 95814-2724

Re: Comments to Draft Initial Study/Environmental Assessment and Proposed Mitigated Negative Declaration; Interstate 15 Managed Lanes Project (the "Negative Declaration")

Dear Mr. Nagy:

We represent Garden Communities RP, LLC ("Garden Communities") regarding its ownership and management of the Legacy Apartment Homes ("Legacy") in Mira Mesa.

While Garden Communities appreciates the opportunity to comment on the Negative Declaration, we question the adequacy of the length of the allotted public review period, given the complexity and scope of the project and its potential impacts upon the environment. We offer the following general and specific comments at this time, and at the same time respectfully request that the California Department of Transportation (the "Department") extend the public comment period for an additional 60 days and so notify us and all of those entities and agencies that are on the Department's notice list for the project.

1

Legacy is a 412-unit apartment complex located at the eastern terminus of Hillery Drive, abutting Interstate 15 along its western boundary. The proposed Hillery Drive Direct Access Ramp would cut directly through Legacy, obliterating an existing recreational area and dividing Legacy into two physical pieces.

It appears from Figure 2-7 of the Negative Declaration that a proposed, permanent easement would extend between two residential buildings, from one building face to the other. There are 22 residential units in each of these two buildings. In addition, there are 16 residential units in each building immediately behind these first two. We are enclosing a photograph of the two buildings, taken from the existing cul-de-sac terminus of Hillery Drive. The photograph shows the proximity of the two buildings to each other, and the inability of the separation to accommodate the proposed Direct Access Ramp ("DAR") without significant, probably unmitigable impacts upon these two buildings and the whole of Legacy.

2

At the time Garden Communities purchased the property upon which it built Legacy, Garden Communities was not informed that any local, state, or federal agency was considering the possibility of constructing any freeway facilities through the property. There was not then, nor is there now, any known property right in favor of any agency across the portion of the property shown in Figure

1 Subsequent to the Draft Circulation and in response to public comments, the DAR proposed at Hillery Drive has been removed from consideration as part of the I-15 Managed Lanes Project. Omission of this access would not impair the function of the project. Ingress and egress to the managed lanes would still be provided via the intermediate access points planned throughout the length of the project corridor.

2 The Draft EIR: General Plan/Community Plan Amendment for the Mira Mesa Market Center, SCH#97051044, as prepared by the City of San Diego in June of 1998, clearly identifies the DAR on plans contained within the document.

Mr. David Nagy  
November 22, 2002  
Page 2

2-7 as impacted by the proposed extension of Hillery Drive east to Interstate 15 and the related, proposed permanent easement. According to several title insurance companies and several civil engineers who have surveyed the property, the property is not encumbered by any such right.

Residents began moving into Legacy in June 2000. Residents began moving into the two buildings most immediately impacted by the proposed DAR in April 2001. Legacy has been completely occupied since November 2001. Residents enjoy a set of common amenities and a sense of community. As a result, residents not only enjoy the recreational area that would be obliterated by the proposed DAR, but frequently travel across it in accessing amenities and neighbors.

More frightening is the prospect of a "flyover" running immediately between two multi-story residential buildings, apparently from footing to footing. We can find absolutely nothing in the Negative Declaration that evaluates any of the potential impacts of the proposed Hillery Drive DAR upon any of Legacy, let alone the two most immediately impacted buildings. If there is any such evaluation, it is impossible to locate. As such, it cannot be said to have afforded any decision maker with the sufficient evidence required by law to support the decision making body's independent judgment and analysis of the potential impacts of the project upon the environment, a consideration of alternatives, or a consideration and potential imposition of measures that might mitigate for the project's potentially significant impacts.

The failure of the Negative Declaration to adequately evaluate the project's potential, significant impacts on the environment as required under the California Environmental Quality Act and its implementing regulations make it necessary for the Department to either substantially revise and recirculate the Negative Declaration to include evaluation of and mitigation for the potential impacts upon Legacy and the surrounding Mira Mesa community, or to complete and circulate an Environmental Impact Report for the project.

The following are more specific comments that support our position:

- The Negative Declaration states at page iii that the project would have no effect on land use. However, Figure 2.7 shows that the project will require a permanent easement for the Hillery Drive DAR. Based on the figure, it appears that the easement will extend to the face of the buildings fronting the proposed access ramp. Will this roadway extension require the demolition of these building? Will parking be removed? Will any utilities have to be relocated with the addition of the access ramp? How could this access ramp not have an affect upon the existing structures?
- Legacy has been fully occupied since November 2001. The proposed Hillery Drive DAR would cut directly through the project, and yet the document does not address any of the impacts that the project would have upon this site and upon the residents' quality of life.
- The Negative Declaration does not evaluate the potential impacts of the realignment of existing roadways to connect into the Managed Lanes of the Hillery Drive DAR upon the level-of service on existing local roadways. How would traffic patterns on existing local roadways be impacted? Would roadways like the Hillery Drive extension be able to handle the increased demand due to the Managed Lanes? What would be the level-of-service on affected roadways

with and without the proposed project under the 2020 conditions? What would be the level-of-service on affected local street intersections with and without the proposed project under the 2020 conditions? Please include the traffic from transit vehicles, HOV, and paid SOV in the additional traffic analysis. How would access to Legacy near the proposed Hillery Drive DAR be impacted?

- How would the DAR's and the Intermediate Access Points ("IAP") operate in conjunction with each other? For example, how would the DAR and the IAP located at Hillery Drive operate in conjunction with each other?
- Table 2-1 lists the required easements for the project. The permanent easement that is proposed for the Hillery Drive extension is not identified in this table, yet it is shown in Figure 2-7. Please add this easement to this table. When the property was purchased this easement did not appear on title insurance reports, tentative maps, or site plans for Legacy, which is now fully occupied. The easement still does not appear on such reports, maps, and plans. Page ten indicates that no homes would be displaced as part of this project. Would the permanent easement on Hillery Drive require the displacement of residents of the apartments directly facing Hillery Drive? Would this easement remove required parking for the site on either a permanent or temporary basis?
- The Negative Declaration states at page 64 that there was a noise study conducted for the project. However, Figure 2.7 indicates that there were no noise receptors within the vicinity of Legacy (near the proposed Hillery Drive DAR). What would be the impacts of the proposed project upon the residents Legacy based on the noise level associated with the access ramp?
- The Negative Declaration mentions that a transit station will eventually be located by the Metropolitan Transit District on Hillery Place. How will this transit station affect on-street parking in the area and what measures will be included to ensure that users of the transit station will not park in Legacy's parking lot? Although the project is not proposing this transit center, the decision is virtually assured by placing the direct connector ramps at this location. Therefore, the analysis of the transit center traffic impacts need to be included in this document.
- Visual Impacts were not conducted for the Hillery Drive DAR. Please prepare a full visual impact for the apartment buildings that face this access ramp. This is probably the most impacted location in the whole corridor, yet these potential impacts were apparently not evaluated.
- The Negative Declaration states at pages 23 through 30 that the project requires certain design exceptions to the Department's established standards. How would these exceptions impact public safety?
- Although Chapter 2 of the Negative Declaration produces a general discussion of alternatives, there is no actual description and analysis of discreet alternatives to the project as a whole or to any of its components. For example, there is no discussion of possible alternatives to the Hillery Drive DAR.

**3** The MTDB Transit Station is an independent action being pursued by another agency. The transit station is not dependent on the DAR to operate.

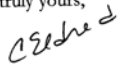
**4** Through the Major Investment Study and Value Analysis process, alternatives were created that would help to reduce congestion within the corridor. These alternatives were discussed and subsequently eliminated or marked for further consideration based on their ability to meet the purpose and need for the project.

Mr. David Nagy  
November 22, 2002  
Page 4

- A wrought iron fence can be seen at the left side of the enclosed photograph. The fence encapsulates and protects a vernal pool that the project sought to preserve from project impacts. The Negative Declaration does not address the potential impacts of the Hillery Drive DAR upon this resource, or, if the Negative Declaration does so, it does so without description and identification of the resource. How might the vernal pool be impacted by noise, light, vibration, exhaust, and the other factors associated with the DAR?

If you have any questions regarding our comments, please contact me at the telephone number or address provided above.

Very truly yours,



Cynthia L. Eldred  
THE LAW OFFICE OF CYNTHIA L. ELDRED

Enclosures

cc: Garden Communities  
Federal Highways Administration, Attn: Jeff Lewis



November 22, 2002

California Department Of Transportation  
District 11  
2829 Juan Street  
San Diego, California 92110

Attention: Mr. Larry Carr

Subject: INTERSTATE 15 MANAGED LANES PROJECT  
SAN DIEGO, CALIFORNIA  
REQUEST FOR ADDITIONAL INFORMATION,  
CLARIFICATION AND CONSIDERATION

Dear Mr. Carr:

We appreciated the opportunity to meet with you on October 20, 2002, to discuss the proposed improvements planned for the Interstate 15 corridor near our properties. Since the public hearing on November 14, 2002, we have a better understanding of the components of the project. After evaluating the documents provided for our review, there are still a few items that we would like clarified. The specific wall segment that applies to our properties is Segment 8, Noise Barrier 8-4.

Pursuant to our meeting, we have prepared this correspondence to formalize our questions since your technical group manager was unable to attend. We apologize for requesting this information at a late date, but we are trying to understand the project details and unanswered questions from the November 14, and 20, 2002 meetings, before the imposed deadline for public comment on November 22, 2002.

Our review and understanding of the project is based on the following documents:

- *I-15 Managed Lanes Project, Noise Study Report*, prepared by California Department of Transportation, dated June 30, 2000.
- *Environmental Assessment/Initial Study And Proposed Negative Declaration, Interstate 15 Managed Lanes Project*, prepared by California Department Of Transportation, dated June 2002 (excerpts).
- *Reasonableness Analysis of Noise Abatement Measures, Interstate 15 Managed Lanes Project*, Exhibit 2, Noise Barrier No. 8-4, dated July 8, 2002.
- General summary of information used for the analysis of Noise Barrier No. 8-4, dated July 8, 2002.



The items discussed below are separated into the specific categories where we desire additional information or clarification. We respectfully request that you review and comment on the following:

#### 1. CONSTRUCTION COSTS AND ASSUMPTIONS:

1

1. The analysis performed in the June 30, 2000, report concludes that Barrier No. 8-4 is feasible and reasonable. The July 8, 2002 information indicates that the same barrier remains feasible but is now considered is "not reasonable". Please explain the change in conclusion.

2

2. Are there alternative Caltrans endorsed noise barriers that would be less costly than the system considered in the July 8, 2002 study. If so, what fiscal reduction would occur with an alternative barrier.

3

3. The actual existing wall to be demolished is shorter than assumed.

It is respectfully requested that the noise barrier construction costs be re-visited considering the following alternatives:

4

**Case 1.** All variables remain constant except for the demolition costs. The existing stucco wall proposed to be demolished and removed is 3.5 feet to 4 feet in height rather than the assumed 6 feet.

5

**Case 2.** No easement or demolition costs would be necessary from a point located one property south of Receptor Station No. 179D, northward to the northern property line of the lot containing Receptor Station No. 180. Along this area the barrier would be placed within the Caltrans right-of-way, a suitable distance back from the top of the slope and away from brow ditches.

6

**Case 3.** An easement is granted to at no cost to Caltrans along the entire length of Barrier No. 8-4 with a corresponding elimination of all existing wall demolition costs. Areas within the Caltrans right-of-way would still be utilized for barrier placement. Some sections may require an increase in wall height to position the wall slightly down from the top-of-slope. It is presumed this may be necessary for contractor logistics to enable a backhoe to dig the wall footings.

There is a strong possibility that the easement described in Case No. 3 could be achieved. We are currently working with the overall association of Bernardo Heights to determine this possibility. We feel that by achieving this goal we should be within an acceptable percent of the protocol allowance. With respect to the other cases, we are interested to explore how these alternatives may positively affect our current "not reasonable" assessment.

1

The analysis in the Noise Study Report (June 30, 2000) used a generic noise barrier unit cost of \$151/m<sup>2</sup>, which was calculated in 1998 per the Traffic Noise Analysis Protocol (Noise Protocol).

The analysis in the Reasonable/Feasible Analysis (RFA) used an updated noise barrier unit cost of \$250/m<sup>2</sup>. In addition, each barrier location was reviewed and costs related to the construction of the noise barrier, which included construction/maintenance easements and removal/relocation of any existing features, were added to the total cost of the noise barrier.

Due to the differences between the generic costs used in the Noise Study Report and the updated/location specific costs used in the RFA, some of the noise barriers that were identified as reasonable in the Noise Study Report became not reasonable in the RFA.

2

The masonry block wall alternative is the least costly alternative.

3

An average 1.07m (3.5 foot) height for the existing wall has been used to recalculate the reasonableness calculations for this noise barrier.

4

Case 1: Using an average existing wall height of 3.5 feet (1.07m), the removal costs reduce to \$56,710 from \$96,990. This changes the cost per benefited residence to \$43,454 from \$45,823, but the reasonable allowance is only \$23,000 per benefited residence for this barrier segment therefore the noise barrier is still not reasonable. The Reasonable/Feasible Analysis (RFA) and Exhibit 2 of the RFA have been changed to reflect this correction to the height of the existing wall.

5

**Case 2 and 3: With the above correction to the existing wall height and the complete donation of the easement for this noise barrier taken out of the reasonableness calculation the cost for building this noise barrier becomes \$28,454 per benefited residence. However, this amount still exceeds the \$23,000 allowance per benefited residence therefore the noise**

6

**er is still not reasonable in these two scenarios.**

See Response to Comment #5

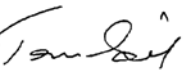
7

We are also proposing that a refinement/re-evaluation of the noise readings perhaps in future supplemental studies could also positively affect our current classification. We respectfully request your evaluation of these considerations.

On behalf of the residents of Vista de Bernardo, your continued cooperation in assisting us to understand this project is greatly appreciated. We look forward to your prompt response.

Sincerely,

  
David Evans  
11754 Calle Vivienda  
California 92128  
858-487-3019



Tom Giles  
11762 Calle Vivienda  
San Diego, California 92128  
858-613-3995



Dustin Dunn  
11686 Calle Paracho  
San Diego, California 92128  
858-673-3851

7 A design level analysis will be completed to ensure the accuracy of the Noise Study results and to assess any new structures that have been developed in the corridor.



jeffjerilarton@aol.com

()

11/21/2002 04:40 PM

To: olga.gonzalez-estrada@dot.ca.gov, web.admin@dot.ca.gov

cc:

Subject: Caltrans web inquiry

Below is the result of your feedback form. It was submitted by  
(jeffjerilarton@aol.com) on Thursday, November 21, 2002 at 16:40:36

URL: <http://www.dot.ca.gov/dist11/I15managed/I-15/I-15.htm>

message: My name is Jeri Larson, I live at 18037 Valladares dr.. I am urging you to consider a sound wall for our area as I15 is expanded. There are lots of people and children who live on this street and we are concerned about the noise level. Its high enough now. We really need a sound wall or the noise will be unbearable.

Also, after we first moved here, sometime in 1996, a car went over the edge and landed in the tress on the hill above our house. It was not a fun experience and I would fear that would be more common if the fwy is expanded to the edge and there is no sound wall.  
Please put up a sound wall for our area.

Thank You,  
Jeri Larson

Our plans indicate that the state Right of Way line (fence) is about 25 meters (82 feet) from the existing edge of shoulder of the southbound lanes in this area. An existing earth berm is located between the fence and the edge of shoulder.

The proposed plan widens the southbound lanes by about 5.5 meters (18 feet) in this area. This will maintain a separation of 19.5 meters (64 feet) from the freeway shoulder to the fence. In addition, the earthen berm will be replaced to the same height as the existing berm. This berm will act as a traffic barrier for errant vehicles and will provide some noise abatement for adjacent residents.

See response to comment L31



